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5 JANUARY 1977

Minutes

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in the 6th Floor Auditorium, Hall of Justice, 850 Bryant Street, on Wednesday, January 5, 1977 at 1730 hours in regular session:

PRESENT: Commissioners Ciani, Gallegos, Hall, DOCUMENTS
Murphy, Siggins

FEB 1 1977

Commissioner Siggins presiding.

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The members of the Commission, having been furnished copies of the minutes of the meetings of November 10, 1976 and December 22, 1976, reading of same was dispensed with and the minutes of December 22, 1976 were approved. The minutes of November 10, 1976 were held over to a later date.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

PRESENTATION OF CERTIFICATES AND MEDALS OF VALOR

The names of the following officers were called and they appeared before the Commissioners and received their respective awards. Commissioner Hall who acted as Chairman of the Awards Committee on December 17, 1976, stated to the audience that this is the way the Police Department recognize those who in the performance of their police services to this city went beyond what the job required. He continued by saying that on behalf of the Commission and the citizens of this city he wanted to thank them for the job they have done and also for the extra impetus that they added to their services. He stated that in recognition of it, the Commissioners are proud tonight to give them Certificates along with Awards of Valor.

Police Officer Paul D. Gossman.....Silver Medal
Police Officer Michael M. Shubin.....Silver Medal
Police Officer Stephen N. Bosshard....Bronze Star
Police Officer Donald N. Moorehouse...Bronze Medal
Inspector Gus Coreris-Retired.....Meritorious Certificate

Commissioner Hall then stated to the President, Commissioner Siggins, that he would suggest that before entertaining item number 4

of the Calendar, the Commission should first dispose of the remaining items. The Commissioners all agreed that item #4 would be the final item to be acted upon.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain stated that he did not have a report for the Commission tonight.

RESOLUTION NO. 6-77

HEARING OF POLICE OFFICER JOHNNIE FLANNIGAN, MISSION POLICE STATION.

WHEREAS, the hearing of Police Officer Johnnie Flannigan, Mission Police Station, was called, it having been set for this date; and

WHEREAS, Mr. Carlos C. LaRoche, who is representing Police Officer Johnnie Flannigan, has requested a continuance in this matter until the criminal proceedings have been disposed of; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Johnnie Flannigan is set for Wednesday January 26, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 7-77

HEARING OF TRAFFIC CONTROLMAN JOHN CONNOLLY, TRAFFIC BUREAU

WHEREAS, the hearing of Traffic Controlman John Connolly, Traffic Bureau, was called, it having been set for this date; and

WHEREAS, Sergeant David P. Roche, Legal Officer for the Prosecution, and the representative of Local 400, Mr. James J. Diggins, have mutually agreed that a continuance in this matter should be granted; therefore be it

RESOLVED, that the date for the hearing

of the disciplinary charges filed against Traffic Controlman John Connolly is set for Wednesday, January 19, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 8-77

INSPECTOR RONALD LIMNEOS, BUREAU OF INSPECTORS

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Inspector Ronald Limneos, as follows:

SPECIFICATION NO. 1

Failure to truthfully and without evasion answer questions propounded by persons having lawful authority to conduct such an investigation. (Violation of Rule 2.49 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

The unlawful taking of money and property. (Violation of Rule 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Unlawful furnishing of a Controlled Substance to unauthorized persons. (Violation of Rule 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Failure to make proper police report. (Violation of Rule 3.83 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Inspector Ronald Limneos, Bureau of Inspectors, be, and the same is hereby set for Wednesday, January 19, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RECOMMENDATIONS OF THE TRAFFIC BUREAU

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

555 PACIFIC AVENUE - DON ERMANN ASSOCIATES

- a) At 555 Pacific Avenue, install a 22' yellow zone, to extend from 44' - 66' east of west building line.

2125 CHESTNUT STREET - WALGREEN DRUG

- a) At 2125 Chestnut Street, install a 40' yellow zone, to extend from 88' - 128' west of Steiner Street.

1530 LOMBARD STREET - REDWOOD INN MOTEL

- a) At 1530 Lombard Street, install a 22' white zone, to extend west of east building line.

701 CHESTNUT STREET - BIMBO'S 365 CLUB- WITHDRAWN

- a) At 701 Chestnut Street, install a 100' white zone, to extend west from east property line
(THIS REQUEST WAS WITHDRAWN)

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police

Commission of the retirement of the following-named members of the Police Department:

- a) Lieutenant Eugene H. Messerschmidt, Taraval Police Station, for service, effective November 10, 1976.
- b) Sergeant Theodore J. Connell, Bureau of Criminal Information, for service, effective October 27, 1976,
- c) Sergeant Joseph F. Molinelli, Richmond Police Station, for service, effective December 8, 1976.
- d) Police Officer Robert J. McHargue, Ingleside Police Station, for service, effective December 7, 1976.

The communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 1-77

HENRY F. HELDT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Henry F. Heldt against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 21, 1976

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 2-77

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he

is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$4,000 charging same to appropriation no. 6.161.890.050 as an advance on the Police Narcotic Fund for the month of February, 1977.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 3-77

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in the sum of \$3,000 charging same to appropriation no. 6.161.890.000 as an advance on the Police Contingent Fund for the month of February, 1977.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 4-77

AUTHORIZING ATTENDANCE OF INSPECTOR EDWARD JOHNSTON, INSPECTOR RAYMOND SKOW, POLICE OFFICERS DANIEL LAWSON AND RONALD KERN, AT A BASIC DRUG LAW ENFORCEMENT TRAINING COURSE AT THE COLLEGE OF THE REDWOODS, EUREKA, CALIFORNIA, FROM JANUARY 31, 1977 TO FEBRUARY 11, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Inspector Edward Johnston, Inspector Raymond Skow, Police Officers Daniel Lawson and Ronald Kern, be detailed to attend a Basic Drug Law Enforcement Training Course at the College of the Redwoods, Eureka, California, from January 31, 1977 to February 11, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named members of the Police Department in a sum not to exceed \$480.63 each will be defrayed by the Police Department's Police Officers Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 5-77

AUTHORIZING ATTENDANCE OF POLICE OFFICER JOHN F. DEVINE, SPECIAL ASSISTANT TO THE CHIEF OF POLICE, AT A NATIONAL POLICE STRESS PROBLEM SOLVING SEMINAR AT QUANTICO, VIRGINIA, FROM JANUARY 18, 1977 TO JANUARY 21, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officer John F. Devine, Special Assistant to the Chief of Police, be detailed to attend a National Police Stress Problem Solving Seminar at Quantico, Virginia, from January 18, 1977 to January 21, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officer John F. Devine, in attending this seminar, will be defrayed by the F.B.I.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, December 28, 1976, as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	62	82
Daily average for the week disabled	<u>113</u>	<u>110</u>
TOTALS	175	192

This is a decrease of seventeen (17) members off duty daily from the previous week.

		<u>PREVIOUS WEEK</u>
Daily percentage for the week sick	3.15	6.65
Daily percentage for the week disabled	<u>6.79</u>	<u>4.01</u>
TOTALS	9.94	10.66

Sick and Disabled for week ending Saturday, January 3, 1976

Daily average for the week sick	48
Daily average for the week disabled	<u>93</u>
TOTAL	141
Daily percentage for the week sick	2.47
Daily percentage for the week disabled	<u>4.98</u>
TOTAL	7.45

Sick and Disabled for week ending Tuesday,
December 7, 1976:

Daily average for the week sick	88
Daily average for the week disabled	<u>123</u>
TOTAL	211
Daily percentage for the week sick	4.25
Daily percentage for the week disabled	<u>7.41</u>
TOTAL	11.66

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

POLICE COMMISSION DISCUSSION REGARDING THE DIRECTOR-
SHIP OF THE POLICE COMMUNITY RELATIONS UNIT.

Commissioner Siggins: "Ladies and Gentlemen, the Police Commission back in 1962, adopted a Resolution that created in the San Francisco Police Department a Community Relations Unit. It has been in existence since that time. Last Wednesday evening, Chief Gain announced to the Commission at a personnel meeting prior to the Commission Meeting, that he was going to replace the Director of the Police Community Relations Bureau, Inspector Rodney Williams with Sergeant Henry M. Williams. When that was announced at the Commission Meeting by the Chief in his report, Mr. Joseph Hall asked that this matter be continued to this week so that there could be some public discussion. I should point out that the Community Relations Unit as adopted by the Police Commission will remain as a Police Community Relations Unit until further change by the Police Commission. It is a part of the Department that is written into the Rules and Procedures. Tonight, it is not on our agenda to consider any change in Personnel in the Police Community Relations Unit, but we welcome and have invited anyone to discuss the matter before us.

We understand some people will be talking about the change in personnel, made by the Chief of Police in his role as manager of the Department. We discussed with Mr. Hall last week on setting aside one hour for discussion so I think that at this time we will ask that all speakers limit their discussions to four minutes."

Commissioner Ciani: "As was stated at the meeting last week, this Commission does not have before it consideration of reversing the action taken by the Chief. We are holding this Public Discussion because we think that the Community Relations Unit is important to the Community and we would like to hear your views on the status of the Unit. We will not be taking action as a result of this discussion. There is no action calendared to be taken with regard to the transfer of the Director."

Commissioner Hall: "Mr. Chairman, I think it should be said that that does not prevent a person from expressing his or her feeling as to the change."

Commissioner Siggins: "That is correct Commissioner Hall. Sergeant Frazier, will you call the first speaker?"

The speakers who spoke in opposition to the change of the Directorship of the Police Community Relations Unit are listed as follows:

Joseph E. Hall
President, NAACP
2085 Sutter Street
San Francisco, California

Robert Gnaizda
Public Advocates
433 Turk Street
San Francisco, California

Idaree Westbrook
Black Leadership Forum
280 Clayton
San Francisco, California

Lois Salisbury, Esq.,
(Officers for Justice Counsel)
Public Advocates
433 Turk Street
San Francisco, California

Rev. Dr. A. C. Ubalde, Jr.,
Bethany U. Meth. Church
1268 Sanchez Street
San Francisco, California

Beatrice Duncan
National Women's Political Caucus
737 Haight Street
San Francisco, California

Helen C. Jones
Member of Community
2096 Pine Street
San Francisco, California

Julius Zamacona
Civil P.C.R.
63 San Juan Avenue
San Francisco, California

Wil Battle
Officers For Justice
Hall of Justice
San Francisco, California

Joel Mitchell
2140 Hayes Street
San Francisco, California

Yvonne S. Golden
San Francisco Black Teachers
Caucus
742-37th Avenue
San Francisco, California

Gloria Davis
San Francisco Black Teachers
Caucus
550 Sargent Street
San Francisco, California

Elouise Westbrook
Concern Citizen
152 Maddux
San Francisco, California

Noah Griffin
839-41st Avenue
San Francisco, California

Jim Gonzalez
Latin American Teachers
Association
478 Bartlett
San Francisco, California

Vernon Duncan
San Francisco Political
Fellowship
737 Haight Street
San Francisco, California

Pearl B. Manuel (did not speak)
Telegraph Hill-North Beach
660 Lombard Street
San Francisco, California

William Murdock
595 John Muir Drive
San Francisco, California

Gerry Hirtado
Chairman, Division Task
Force, Mayor's Criminal
Justice Council
59 Wood
San Francisco, California

Henry Der - Chinese for Affirmative Action
950 Stanton Street
San Francisco, California

Jesse Tepper
1467 Clayton Street
San Francisco, California

Wallace E. Stokes
939 Randolph Street
San Francisco, California

Ronnie Larsen
Police Incidents Group
2795 - 16th Street
San Francisco, California spoke in regard to the
Office of Citizen Complaints Proposal requesting
the Commission to designate a time for further
discussion on the matter.

Bob Covington
San Francisco Black Political
Caucus
221 Louisburg
San Francisco, California

Del Martin
Commission on the Status of Women
651 Duncan Street
San Francisco, California

After listening to comments of the last speaker, Commissioner Siggins then asked if there was any comment from his fellow Commissioners?

Commissioner Hall then stated that it appears from the people that he is supposed to be representing that he should say something. He continued by saying, "Let me just say two things; I am happy that you expect so much of me, I am only sorry that you aren't aware of what I have done in this situation. You ask those who know; you will not get it by trying to put me on the spot; ask some of those speakers you heard tonight, ask some of the Commissioners and if you want, ask the Chief, they will tell you the position I have taken and the manner in which I have voiced my own opinion. I will not do it tonight simply because of the manner in which you are trying to elicit it from me."

Commissioner Siggins asked if there were any other Commissioners who wanted to speak?

Commissioner Murphy said yes: "I was absent last week, I was out of town. I am sorry I was because I did not hear the Chief's presentation of why he wanted to transfer Rodney Williams. I too have been very concerned and interested in this for a long time, long before I ever thought about being a Police Commissioner. Rodney Williams and I have known each other for a long time. When Whitney Young came to town, he was with me to greet him and be with him. I am unalterably opposed, and I am only one vote out of five, to dismantling the Community Relations Unit. But let me warn you, I think there are many ways of dismantling it that could be done without possibly even our knowing it, I don't know. I think for example, you can transfer staff out, I think you can not give it support and when an organization is not given support then it has a hard row to hoe. Other than that I am an Administrator, I have been an Administrator for a large office and I do believe that you cannot say, look you can put Joe Blow here and you can put somebody else here. Five people can't do it and have some kind of cohesiveness, I believe that. I don't know all that I have heard about this situation, I shall try to learn more and when we have an opportunity to discuss it and the plans are made for this division, I shall try to learn more and when we have an opportunity to discuss it, the plans that are made for this division, or unit or whatever it is, and what plans that grow out of this, I will be interested in it and I shall make up my mind and I shall also say what I think about it."

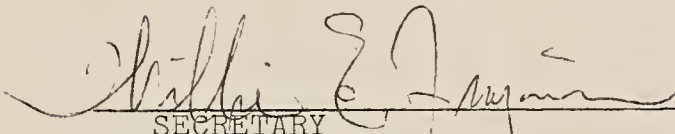
Commissioner Siggins: "Well, I would say just as Reverend Hall just said that I have been constantly convinced that Rodney Williams has been a very positive image to the Community, but I would also say that there is a very moral question involved when we have a management decision by Chief Gain. I analyze it as well as Stokes analyzed it tonight to the point where it must be decided that you cannot duck the issue in your own mind and we did not duck the issue. In discussions of a personnel matter, with Chief Gain, both as a Commissioner joined together in Executive Session or as President of the Police Commission in daily contact with the Chief, I am convinced that Chief Gain did not act in an arbitrary or a capricious manner. I believe that honestly, it is a moral question to me just as much as it is a moral question to Chief Gain. He had to make a decision, a tough management decision for the best of the people that he serves and I am convinced that he did that. I say this, Sergeant Henry Williams has a tough job to do and I wish Sergeant Henry Williams the best, and we will support the Community Relations Unit."

Chief Gain then made the following statement: "My statement will be brief. I made a very clear statement at the Police Commission Meeting of last week which has been accurately reported in the News Media and I will stand on that statement and I will stand on the decision that I made."

Commissioner Siggins then stated that there has been a motion by Commissioner Ciani for adjournment and seconded by Commissioner Gallegos; "All in favor?"

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

The Commission then adjourned its meeting.

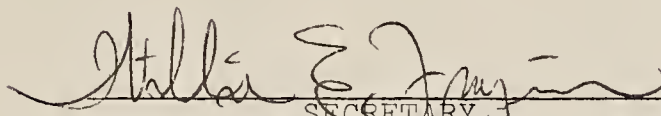


SECRETARY
10

12 JANUARY 1977

Minutes

The Police Commission of the City and County of San Francisco did not hold their regular meeting on this date.



SECRETARY

7
24 JANUARY 1977

Minutes

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in the 6th Floor Auditorium, Hall of Justice, 850 Bryant Street, on Monday, January 24, 1977 at 1800 hours in Special Session:

PRESENT: Commissioners Ciani, Gallegos, Hall, Siggins

ABSENT: Commissioner Murphy

Commissioner Siggins presiding.

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HEARING OF TRAFFIC CONTROLMAN JOHN CONNOLLY,
TRAFFIC BUREAU

Sergeant David Roche from the Legal Office and acting as the Prosecutor for the Police Department in this matter stated: "Traffic Controlman John Connolly is currently on suspension from the Police Department and has been so for more than 30 days. Our rules require that he be brought to trial within 30 days. Mr. Connolly is presently in the hospital and unable to appear. He has refused to take a leave of absence and prefers to use sick time, therefore I propose tonight that I be allowed to call one witness, swear him in, and have jeopardy attached so that it would be the start of the trial and request a continuance until such time as Traffic Controlman Connolly is available, thus allowing us to comply with our own rules."

Commissioner Gallegos: "Sergeant Roche, in a situation like this, isn't the officer entitled to have someone here to represent him?"

Sergeant Roche: "We are not going to have the trial tonight, I am only going to call one witness to attach jeopardy and then request a continuance without presenting any evidence. That way jeopardy attaches we have the trial started within our period required by our rules."

Commissioner Ciani: "Is he represented by counsel?"

Sergeant Roche: "To my knowledge he has been represented by three different counsels thus far and each

one of them has informed me that they have abandoned the case and refuse to represent him."

Commissioner Gallegos: "Has he been formally advised of this hearing?"

Sergeant Roche: "He has."

Sergeant Ray Michellis of the Traffic Bureau, was then called and sworn.

Commissioner Siggins: "Before you start Sergeant Roche, did you state for the record that Traffic Controlman John Connolly has been notified of the time and place for this trial?"

Sergeant Roche: "He has Commissioner Siggins. Mr. Connolly was notified today through his doctor, that we would start the trial this evening. We were unable to contact him directly because he has just undergone a rather serious operation. Ordinarily we wouldn't go through these proceedings except for the fact that he has absolutely refused to take a leave of absence. Commissioners, since the defendant is not present at this time, I would request a continuance until such time as the defendant is physically able to be present at this trial."

Commissioner Siggins: "Alright, have Sergeant Michellis state his name and badge number."

Sergeant Michellis: "Yes, Raymond Steven Michellis, star number 1607, Sergeant of Police, San Francisco Police Department."

Commissioner Siggins: "Okay, then the matter will be continued and will be heard at a later time."

RESOLUTION NO 9-77

HEARING OF TRAFFIC CONTROLMAN JOHN CONNOLLY, TRAFFIC BUREAU

The hearing of Traffic Controlman John Connolly, Traffic Bureau, was called, it having been set for this date. Traffic Controlman John Connolly was charged with violating the Rules and Procedures of the San Francisco Police Department, as follows:

SPECIFICATION NO.1

Failure to Obey Direct Order (Violation

of Section 2.45 of the Rules and
Procedures of the San Francisco
Police Department.)

SPECIFICATION NO.2

Activity Reflecting Discredit
Upon the Department. (Violation
of Section 2.13 of the Rules and
Procedures of the San Francisco
Police Department.)'

Traffic Controlman John Connolly did not
appear in person, and was not represented by an
attorney.

Sergeant David P. Roche, Legal Officer,
appeared as Prosecutor for the Police Department,
and stated: "Traffic Controlman John Connolly is
currently on suspension from the Police Department
and has been so for more than thirty days. Our
rules require that he be brought to trial within
thirty days. Traffic Controlman Connolly is pre-
sently in the hospital and unable to appear. He
has refused to take a Leave of Absence, and prefers
to use sick time; therefore, I propose tonight that
I be allowed to call one witness, swear him in, and
have jeopardy attached so that it would be the start
of the trial and request a continuance until such
time as Traffic Controlman Connolly is available,
thus allowing us to comply with the Rules and Pro-
cedures of the San Francisco Police Department."

Commissioner Siggins then stated to Ser-
geant David P. Roche, Legal Officer, to call his
witness. The following-named witness was called,
and sworn:

Sergeant Raymond S. Michellis
Traffic Bureau

Sergeant Roche stated he was unable to con-
tact Traffic Controlman Connolly directly because he
had just undergone a rather serious operation; how-
ever, he was notified on Wednesday, January 24, 1977,
through his doctor, that we would start the trial this
evening.

The matter was then continued, and will be
held in its entirety at a later date.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

(The entire proceedings were
recorded on a cassette tape.)

AMENDING POLICE CODE BY AMENDING SECTION 1183
THEREOF, PROHIBITING OPERATION OF INTERURBAN
PASSENGER MOTOR BUSES WITHIN CERTAIN AREAS.

Sergeant Roche: "Commissioners, we received a letter from the Department of Public Works that the San Mateo Transit District is going to undertake the routes that are presently operated by the Greyhound Commuters of San Mateo County. We have an ordinance, Section 1183 of our Police code that forbids the use of Market Street to inter-urban busses. We don't issue permits to inter-urban busses any more that is all done by the PUC, however, we do have a governmental interest in establishing routes. The San Mateo Transit District would like to take their busses off the freeway, go up 9th Street, have one stop at 9th, one stop at 7th, one stop at Spear and one stop at Main Street. It would then make a loop, come back up Market Street, stopping at each location that the Muni Bus stops and then up McAllister to Leavenworth, down Leavenworth, across Tenth and then back to the Freeway. This Ordinance is actually a Public Works Ordinance and they have recommended it to us. There is no objection to it from the Traffic Bureau and the Public Works has requested as a courtesy because we are primarily the Department that enforces the Police Code as a courtesy before they would make any amendment in our code, they have requested that this Commission send a letter to them that we have no objection to that amendment to the Code."

Commissioner Siggins: "The actual amendment involves adding to the provisions of Section 1183, 'Shall not apply to busses operated by the San Mateo County Transit District on Market Street between 5th Street and Main Street,' is that correct?"

Sergeant Roche: "That is correct."

Commissioner Gallegos: "Was the Muni asked to comment on this?"

Sergeant Roche: "We did not ask, that is up to Public Works. This is actually a Public Works Ordinance. It is up to Public Works to talk to City Planning and each Department that would be involved. They asked us from just a traffic standpoint from a police department enforcement standpoint, if we have any objection."

Commissioner Hall: "Mr. Chairman, I move for the approval of the amendment."

Commissioner Siggins: "Motion by Commissioner Hall, seconded by Commissioner Ciani. Any further discussion?"

All in favor?"

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

PUBLIC HEARING ON THE PROPOSED POLICE DEPARTMENT
BUDGET FOR FISCAL YEAR 1977/78.

Chief Gain: "Mr. President, with your permission and that of the Commission, I would have Lieutenant Mike Lennon and Captain Mullen, our Budget Officers, make a presentation."

Lieutenant Lennon then capsulized on a three page summary of the budget. He stated that it is a three page summary of the various categories and how they compared to last year's request and approvals. He then stated that the Staff recommendation for the police department for the 77/78 budget is in the amount of \$83,440,458. He further stated that this compares to last years request of \$82,596,000., an increase of .7 of 1% over last year's request.

Commissioner Gallegos then asked for a breakdown on the equipment to be purchased if the funds are approved for the crime lab and photo lab, what it does as far as bringing it up to standards. He stated that there has been some concern about the adequacy of those two labs, the crime lab and photo lab.

Deputy Chief of Support Services Mario Amoroso, then answered the Commissioner's question in this regard. He then itemized the type of equipment that he was asking for to bring the lab up to standard. He then called upon the Criminologist, Mr. Shoji Horokoshi to explain the exotic types of equipment they were requesting.

Commissioner Ciani inquired as to the state of the Police Buildings as far as conditions were concerned. She wanted to know if the conditions are deteriorating from last year or if repairs had been made. She noticed that there was \$15,000 dollars for last year's budget. Deputy Chief of Field Operations, Clement D. DeAmicis, stated that there has been no significant repair that there had been very little patchup work done on any of the buildings and the department is one year worse than it was last year.

Commissioner Gallegos stated that the Commission should have a report of the conditions in those buildings because of the fact that the public does go there for a variety of reasons and they were entitled to at least some sanitation improvements.

Lieutenant Lennon then stated that they would have a report by Wednesday on what the Department of Public Works intends to do regarding the Police Department facilities.

Commissioner Gallegos then spoke in regards to the Community Relations Bureau request for \$20,000 the year before and are now requesting only \$5,000. He then requested an explanation for this year's difference.

Chief Gain stated that there was insufficient justification emanating from the Unit for a request of more than \$5,000 dollars.

Commissioner Ciani then asked for an explanation of the figure in the footnote on #48, she stated that the figure they were given doesn't include the \$926,000 dollars. She asked if the total figure for the budget \$83,440,458 included the \$926,661?

Captain Mullen stated that the footnote in the budget process predates the final total they came up with, so the question revolves around \$926,000 dollars for sworn officers in Internal Affairs and \$686,000 dollars for an Office of Civilians to conduct the investigations of complaints against police department personnel.

Commissioner Gallegos then stated that he wanted it clarified as to whether the retention of the IAB if kept as it is now would add \$926,000 dollars to the total \$83,440,458 or is it included?

Lieutenant Lennon stated that it was included.

Commissioner Gallegos then stated that then if the Commission chose the other alternative, it would be a \$300,000 dollar decrease from the \$83,440,458 dollars?

Lieutenant Lennon stated that is correct.

Commissioner Siggins asked if there were any further questions from the Commissioners and if not, then public testimony would be taken.

The speakers who all spoke on the different facets of the Budget were as follows:

Mr. Joseph Hall, President of the S.F. NAACP
Mr. Richard D. Tropp
Ms. Vera L. Young
Ms. Mary Vail, Citizens for Justice
Mr. Johnny Brown
Mrs. Rosario Martinez, Police Incidents Group.
Mr. John D. Bardis, Inner Sunset Action Committee

Police Officer Will Battle, President of the
Officers For Justice Police Association
Mr. Jim Earnshaw, Psychologist
Mr. James Brosnahan, President, Bar Association
Mr. Amitai Schwartz, Bar Association
Mr. Harvey Milk
Mr. A.R. Roderick, Civilian Community Relations
Ms. Nedra Ruiz, Police Incidents Group
Mr. Ray Broshears, Gay Alliance

Commissioner Ciani then stated that she believed the budget was on the Commission agenda to be voted on this coming Wednesday night. She stated that she would like to say for those persons who are still present that she personally thought that the Department should have some experiment with the use of civilian investigators and that she would put together a proposal and present it at the next meeting.

Commissioner Gallegos then asked what the Commission would be receiving on Wednesday, would it be a revision of the summary budget or the same type information that the Commission has before them now. He then stated that on Wednesday the Commission will vote specifically on the Major item, Item #48 and whether the Commission wants to include in it the amount for the existing IAB or the proposal for the O.C.C.

Lieutenant Lennon then stated that the Department should send one or the other to the Mayor's Office.

Chief Gain stated that if the Commission adopts the budget as it presently is, that it would mean that the Commission is adopting all police personnel in the IAB. It would actually have to be amended to include the O.C.C.

Commissioner Ciani noted that one of the speakers had cautioned that the Commission should be very careful that the Budget submitted contains all of the needed personnel and resources. We have to look to staff to assure us that this budget has not been scaled down in accordance with staff's view of what we can get from the Supervisors, but rather, represents what we need to do the job that the Department has before it. She stated that she was very concerned that last year during the Budget process, we may have scaled things down more willingly than we should have. "I want to be sure that our initial request comports with what you feel is our needs."

Chief Gain answered: "Last year what we scaled down to the extent that we did, was not in personnel at all. What we submitted contained all of the personnel. There was overtime money that we reduced but not essential needs at all. All of the cuts we suffered were mandated. So you are getting a budget that

represents what we feel our needs are and particularly in regards to personnel that number which we feel we could recruit within a calendar year.

Lieutenant Lennon stated that in regard to O.C.C., and the whole budget that within the next month the judgments could be made in the budget. So it is not absolutely critical Wednesday night that the decision be made on the O.C.C. We can submit the budget as it is and if you do not make a decision then that budget could be amended within the next month.

Commissioner Siggins stated that the Mayor's Office understands that the Commission is wrestling with the problem and that he didn't think that the Commission was under that time limit.

Commissioner Gallegos: "Chief, a number of questions were raised this evening about the deployment of personnel, the shifting of vice officers to elsewhere, where it would do the most good, would you comment on that?"

Chief Gain: "Yes, what we have done continually and what necessarily must be done continually, is to re-assign personnel based upon needs and what we have done throughout all of 1976, is re-assign personnel to the patrol force. The BSS has not changed substantially at all. We have assigned, I think, two or three female police officers there as decoys, perhaps four, but it is basically the same personnel as it has always been. We would hope as we get certain problems under control, that we can assign some of those personnel elsewhere. We are constantly evaluating and re-assigning, it is just a continual process. Might I add, as you recognize in our budget, that it is a line item budget and there is no specific allocation to organization of units, those can be changed any time. If the police were to adopt a policy regarding a particular program or a function that would call for a re-assignment of personnel too."

Commissioner Gallegos: "I would just make a final comment that I would hope that at the point where we approved the budget or recommend the budget to the Mayor for his review and to the Board of Supervisors, that we help the public be made aware of what our priorities are with respect to an increase for a permanent staff, I think of 130 sworn personnel plus the 23 plus 3 non-uniform personnel. That the rationale be so that we can transmit that clearly. The other thing that we have discussed was the continuation of the Police Community Relations Unit and I would like to know what comparative cost are dollarwise. We don't have to do that tonight, but I think that, but whatever we transmit on that should be clear that we are not disbanding that unit but the fact is that we are keeping it up to strength as I understand there has been a

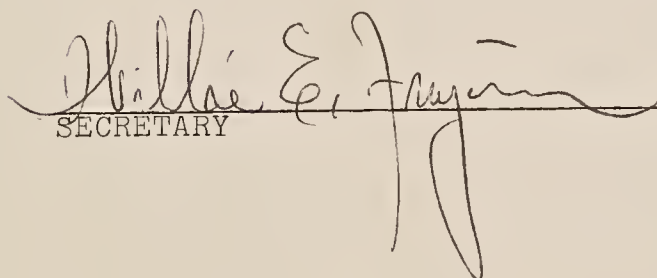
lot of concern about our posture on that. I think the other question about upgrading equipment and the kind of physical aspects of the needs of the Department in terms of importance of upgrading it need to be spelled out very clearly. I am still a little concerned about the capital cost, about the fact that so little money seems to go into the repair and upkeep and maintenance of the various stations because the officers have to live there a great part of the time and I think its a morale issue as well as it relates to the decency of the way in which people are treated. As I say, a lot of people go there for a variety of reasons and I think they are places where people have to spend some amount of time and I am not suggesting comfort as much as I am the issue of cleanliness, safety and so on. And then the other issue the final one is the whole Office of Citizen Complaints which I think is constantly misconstrued as to what it is not as to what is being proposed. And I think coming to grips with that immediately because I think that a great deal of the public who has spoken on that issue, I think is asking for and in some instance is demanding a response and I think one of the things is a troublesome part of that is the fact that the rank and file police officers have not really been very ominent on it and this is one of the things that have troubled some of us, but I am prepared to vote on it. I hope that we can resolve that very soon."

Commissioner Siggins then stated that a motion has been made by Commissioner Ciani and seconded by Commissioner Hall to adjourn, all in favor?"

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

The Commission then adjourned its meeting.



SECRETARY

26 JANUARY 1977

REGULAR MEETING

≡ Minutes

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 26, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Siggins

ABSENT: Commissioner Murphy

DOCUMENTS

MAR 15 1977

Commissioner Siggins presiding.

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The members of the Commission, having been furnished copies of the minutes of the meeting of January 19, 1977, sufficient time was not available to peruse for approval and approval of same was continued until the meeting of January 26, 1977.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

Executive Session, Personnel Matters Decision on appointments were covered in the Chief's Report.

Commissioner Siggins stated that before going to the Chief's Report and in regard to item #5, the COMO people told him that they would take about five or ten minutes to make a presentation and and because he anticipated that item #4 would take a lot longer he told them that that would be all-right. However, he stated, before this presentation is made he wanted the Chief to report what he has done in response to COMO'S request for replacement of Mounted Police in McLaren Park.

Chief Gain stated that with the Commission's permission he would have Deputy Chief DeAmicis, who has been working with this matter and who had met several times with COMO representatives make the report.

Chief DeAmicis in his report revealed that at one time there were 22 officers assigned to the mounted unit to patrol various parks in the City. He stated that two years ago that number was reduced to 12. He continued by saying that in September of last year, the two mounted officers assigned to McLaren Park were either sick or injured and therefore no

mounted officers have since been assigned. He stated that he and the Captain of that unit had conferred and concluded that crime in McLaren Park had been on the decrease and crime in areas such as Golden Gate Park had continued to increase so it was the Captain's decision and it was endorsed by him that the two mounted officers not be replaced in John McLaren Park until the Department could bulk up the number of officers in the Mounted Unit. He stated that he had attended several meetings with the people from COMO and stated the department's position in the matter. This position is he said, that if the department is able to get the additional manpower requested, that the Mounted Unit would be increased and the two Mounted Officers would be restored to John McLaren Park by March 16, 1977. He stated that at the present time there are from two to four officers that patrol McLaren Park during the daytime on Honda Motorcycles.

Mr. James Walker representative of the COMO group stated that the issue is who knows crime best and the way that he sees it, it is the people in the neighborhood who knows crime best. He stated that many golfers have been mugged and when there are no police around to make arrests or take reports, then naturally the crime rate is going to go down. He continued by saying that there are seven schools in that area and pointed out that you start with truancy and go to vandalism and burglaries, and it is obvious that the horse patrolmen should be returned. He stated that this has been promised to occur by March 16th, but he would like to know how the Police Commission stood as far as an immediate return of the Mounted Officers to the McLaren Park?

Commissioner Siggins stated that the Commission felt that the date set by the Chief to return the Mounted Officers to McLaren Park should prevail.

REQUEST OF MIRANDA NELSON - WHITE PANTHER PARTY

Miranda Nelson stated that she would like to read a letter from Tom Stevens to Chief Gain and was permitted to do so. After reading the letter she stated "is it not clear to the Police Commission that there is no way they can honestly investigate the July 12th incident? Is it not clear that the Police Department is not perpetrating the old guise but fabricating new ones as well? Is it not clear that it was absurd to the Police Commission to ever consider this investigation within their purview? Is it not clear that this matter should be sent back to the Human Rights Commission? The Police Commission's loyalty to the Police Department is indisputable. The Department's response to my allegations makes it obvious that they are not about to volunteer the real facts. The initial latching on to this issue by the Police Commission thereby removing it from the Human Rights Commission, was

not the cooperation that was sought.

The essence of the July 12, atrocity goes beyond the investigative abilities of the Police Commission, the Police Department and Internal Affairs Bureau."

She then stated to the Commission that after reviewing their allegations can they (the Commission) do an investigation?

Commissioner Siggins then stated that the Chief would make some comment in regard to the January 12, 1977 letter given to Ms. Nelson.

Chief Gain responded by saying that he wanted to apologize to the Commission and to the White Panther Party, for an inadequate response to the document received from the White Panther Party. He stated that after a meeting with Ms. Nelson and Mr. Landberg, he came to the conclusion that a letter he signed without thorough analysis was not appropriate. He stated that since that time he has met with the Legal Staff and had them draw up a letter which the Commission and the White Panthers now has dated January 26, which he feels is responsive to that document for the purpose of discussion at this meeting if the Commission and the White Panther Party members have had time to read it.

Discussion continued and Commissioner Siggins advised the White Panther members to set up an appointment with the Chief and his staff to go over specific allegations in an attempt to narrow the issue, however, the Panther members disagreed and wanted the issue decided at this particular time. Commission members then stated that they were not prepared to discuss the matters in full detail and continued the matter to the meeting of February 2, 1977.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, two reports, one on the status of the Federal Court Case and the other an explanation of the distinction between the Citizens Safety Project and the Crime Resistance Program. I would like to have Officer DeFilippo give a status report to the Commission on the status of the Federal Court Case in regard to appointments."

Officer DeFilippo stated that the current list for

Sergeants and Assistant Inspectors were now under appeal by the S.F.P.O.A., because of the quotas imposed by the court in the temporary hiring of Sergeants. He stated that the Police Commission, the Chief of Police, and the Civil Service Commission is now a party defendant in a cross action. He stated that the basis of their complaint is that the Department aided and assisted in giving an invalid examination and the relief that they are requesting is that the entire examination process for the rank of Sergeant and Assistant Inspector be vacated and the process begin over. Commissioner Gallegos raised the question of whether it was possible to hire out of rank through exempt waivers from the current Q2 list persons having bi-lingual skills. Officer DeFilippo stated that Civil service now advises and the City Attorney concurs with it that because the original announcement for the entry level for the police department did not have that provision in it advising the candidates that they could be sub-servient to someone lower on the list if they had that special skill can not now be done.

The Chief then called upon Lieutenant Frank Jordan to speak to the distinction between the Citizens Safety Project and the Crime Resistance Program. Lieutenant Jordan said as you know we did have a presentation here approximately two weeks ago regarding our Crime Resistance Program. He then explained the differences in the programs, the various phases of the Crime Resistance Program and FBI's participation. He then stated that the Citizens Safety Project would be undertaken on a total saturation basis neighborhood by neighborhood. He stated that here they are going to institute a system called Home Alert, a neighborhood block club on every single block in San Francisco. This would be their ultimate goal. He said they would have neighborhood organizers, civilians who are paid and there will be one in each of the nine district stations as a full time neighborhood coordinator. There will also be another one paid as an assistant coordinator and their whole program is to get that community organized and then let the police come in, if needed, to help with the Home Alert Program and inform them how they can help us, the police. So it is zeroed in on a total saturation basis of what the individual home by home can do to help. He then stated that operation identification on this phase of it deals with let's do it in every home. The individual marks his own property for identification and that is where it differs from the Crime Resistance Program where it's not the individual who does it but private enterprise does it. He stated that if we miss it at the home level we then pick it up through private business or new property and repaired property.

The Lieutenant then stated that there would be a press conference on this matter tomorrow morning in Room 228, City Hall.

Commissioner Siggins then stated, "May I say at this time that there has been an awful lot of rumors around the Hall of Justice regarding possible changes in the Department and I will say this that our Commission appointed Charles Gain as Chief of Police

January, 1976 and we have no plans of replacing him in any way. We have had Executive Meetings that involved legal matters and matters that do come under the subject of Executive matters and not once have we discussed the replacement of the Chief. We have worked closely with him in the past year and one month and we look forward to working with him much longer. I, as president of the Police Commission, am completely satisfied with the choice of Chief Charles Gain. We welcome the fact that it was the Mayor of San Francisco who recommended him to us and after our interviews and considerations, I think we made a good choice."

Chief Gain: "I would like to thank you, Mr. President, and the Commissions for your expression of support and confidence. I appreciate it very much. I have said elsewhere that I plan to be around seven years so if every thing works out that I think would be fine. What really concerns me about the continued rumors of course is the unrest it causes within the Police Department and I know you are too. So making an affirmative statement I think is very good for the San Francisco Police Department and I thank you."

ANNUAL REPORT TO THE POLICE COMMISSION ON SECONDARY EMPLOYMENT.

Chief Gain: "Mr. President, members of the Commission, we sent this report to you and in reviewing the report I find that it is not up to date. I think the situation we are dealing with is this that when a person gets a secondary work permit authorization then it stands forever. We have individuals reflected in that report as engaging in certain types of employment which is not the case. So I directed the Captain in charge of Personnel and Training Bureau today to make a survey as to each individual whether they are engaged in the employment reflected in the report and we will, in due time, hopefully within two weeks, report back to you and give you an accurate report."

OPERATING BUDGET OF THE SAN FRANCISCO POLICE DEPARTMENT FOR THE FISCAL YEAR 1977/78

Chief Gain stated that at the Budget meeting on Monday, the Commission asked for four specific things. The amount of funds the Department of Public Works intends to request and we reflected that, the summary of non-budget funds expended in department programs Police Community Relation expenditures and then there was a discussion in regards to the number of personnel the actual assignments as opposed to the budgeted assignments that we reflected before. He stated that it was a several page report and unless it is requested that he do so, he would not review the whole report.

In regard to the regular budget, Lieutenant Lennon stated that the total amount to be submitted and discussed by the Commission the other day was changed in two instances. He stated that there was a clerical error in the number of marked vehicles and the other item of concern was which of the two Internal Affairs Units would be put in?

Commissioner Ciani: "If it is timely now I would like to make a suggestion. I would like to put on the table an alternative proposal with respect to the Office of Citizens Complaints that would be to include a pilot program in this budget. I think we can use the personnel who are presently in Internal Affairs elsewhere in the Department. Thus, I recommend that we request an additional allocation to hire some civilian personnel. This would not wipe out the cost savings of the OCC but apply the money saved to increase the manpower available for other functions where we really need it. I would propose we include funds for the hiring of eight civilian investigators, each at an annual salary of \$22,549.00. Second, I would like to include a line item in the amount of \$50,000 for the payment of hearing officers and, third, I would like to include such funds, if any, that may be needed in order to establish and staff one or more off-site premises for the filing of Citizens Complaints with civilian clerks. Perhaps you can do that by finding space available in public buildings that wouldn't cost anything and by allocating existing clerical or civilian personnel. If so, it may be that we don't need to request any additional funds, so I will leave this question open for the moment.

I would like to make a statement in support of my request that we approve this recommendation tonight and submit it as a part of the budget. I know that there is a lot of concern among members of the Commission that we haven't had sufficient input from the officers themselves, so I propose we issue an invitation to the P.O.A., and to any of the other organizations that may wish to speak on this, to meet with us prior to the deadline for amending the budget we send in. Thus, we can submit it with these items added and put the onus on those who may wish to persuade us not to proceed with this program, to meet with us and to persuade us that there is valid reason not to proceed. We have lacked professional input from the department and that is one of the main reasons that I suggest we go ahead with a pilot program. It will also set up a Civil Service mechanism that would permit us to go ahead with the full program if we decide the results are successful. I think that not all of us are convinced that civilian investigators of appropriate quality can be recruited and that they can do the job. So I think the only responsible way to proceed is to start with a group that could be integrated into the present IAB and observed a year before they will have to be given Civil Service tenure. We have made several attempts to get some input from Police Officers and the P.O.A., and I am very very disappointed in the response of the P.O.A., leadership. First, they have refused to meet us in the Hall of Justice on the basis that it is an intimidating structure and have refused to

comment on the OCC proposal until it is in final form. This is not very helpful to us in trying to evaluate the proposal. Second, then we tried to go directly to the Officers there was, I think, a concerted attempt by the P.O.A., leadership to keep those meetings from occurring or from being productive. That, I think, is also a shame. I might say that the president of the P.O.A., admitted at the time that the P.O.A., had not done a good job of informing its membership about this proposal. I think there is still a great misunderstanding among the officers as to what this proposal actually involves; that again is why I am suggesting that we make additional efforts to meet with the P.O.A., and to get the kind of information that only they can give us about how this would really impact upon the department at the officers' level."

Commissioner Gallegos: "Do you have a ballpark figure on this?"

Commissioner Ciani: "Well, I don't have a ballpark figure on item #3 because I don't know whether we can handle those needs with existing personnel. I have not specified the type of Hearing Officer arrangement that we might use but I think the funds should be available to use outside hearing officers on an hourly or per diem basis."

Chief Gain: "So we are talking about \$50,000 for a Hearing Officer Function. May I ask this, eight investigators.....do you want to designate one supervisory person and seven investigators?"

Commissioner Ciani: "I am not sure. Could that be integrated into the existing IAB?"

Chief Gain: "Yes, it depends on what concept the Commission wants to follow. If you want the non-police investigators to be in a separate facility it would appear to me it would have to be one person supervising those investigators, which could be police or non-police that is why I want to raise the issue."

Commissioner Ciani: "Well, I think first of all we want to test the ability of the civilians to do investigations and we want to test it fairly. Now, if putting them under the existing hierarchy is not going to create a fair test of whether or not they can do the same quality of investigation that police officers can do, then I think we ought to have a civilian at the supervisory level. That is not so much a budgetary consideration as it is a practical one on which I have to defer to you. Do you think it could be a fair test without a civilian supervisor?"

Commissioner Siggins: "Well, I think you better put it in at least for the budget figure."

Chief Gain: "I would recommend one non-police supervisor, yes."

Commissioner Ciani: "Well, I didn't want to go so far as to put in a civilian director for the whole IAB."

Chief Gain: "I am not suggesting it by title, Director, that is why I am using supervisor. It is just a supervisory person that would be in charge of eight. It would not be at the level of director."

Commissioner Ciani: "What would be the comparable rank in the department?"

Chief Gain: "Lieutenant. Then you could leave it to our judgment to determine the number of clerical persons that we have to have and put that in the budget?"

Commissioner Gallegos: "Based on whether it can be absorbed from existing funds or whether we have to provide extra for it."

Chief Gain: "We will figure that out and put in whatever is appropriate on that."

Commissioner Hall: "What are we recommending, a modified version of the O.C.C?"

Commissioner Gallegos: "Instead of the 35 we propose the eight investigators."

Commissioner Hall: "Is that to replace the present IAB?"

Commissioner Gallegos: "They would probably be reduced by that many personnel."

Commissioner Ciani: "They would be put to other police business."

Commissioner Hall: "What you are asking is that we approve the modified version tonight."

Commissioner Siggins: "This is what you would call Commissioner Ciani's pilot program."

Commissioner Hall: "To run how long?"

Commissioner Ciani: "Well, for a year, because that's the usual probationary period for Civil Service. Would you correct me if I am wrong that there is a year period....."

Chief Gain: "Six months."

Commissioner Gallegos: "Is that a fair test of competence?"

Chief Gain: "Not really, it isn't adequate however, I would suggest that we don't rely solely on a probationary period, I think we rely upon that too much, even if it were past the six months if in fact they were not competent and that were documented then under Civil Service Rules we would have no problem in separating them. The Lieutenant suggests that we could hire them as temporary."

Lieutenant Lennon: "We could hire them as temporary then their six month probation is out."

Commissioner Gallegos: "Do they get any credit for it?"

Mr. Jom Brosnahan, Bar Association: "Since this is our proposal, might I ask a couple of questions about the amendment that has just been put forward, we've not seen it before nor have we ever seen it before or know the effect it has on the budget. I don't want to interrupt the discussion but at some point I would like to ask some questions about it."

Commissioner Siggins: "It seems like the proper time now Mr. Brosnahan."

Mr. Brosnahan: "I listened carefully to the discussions, do I understand that there will be a civilian supervisor for the eight investigators?"

Commissioner Ciani: "Yes, that is right."

MR. Broshnahan: "Do I understand that they will be hired for six months only and get no credit for any overall program is that right?"

Commissioner Ciani: "In recommending the salary levels that I included in my recommendation, I used annual salaries and I had in mind a 1 year test. I was not aware that six months is the Civil Service deadline for probation. I think that it should be a year. If we can work it out with temporary hiring, then that would be a way to proceed."

Mr. Brosnahan: "The reason I asked that is because if the test is to be whether the program works, you would want to hold out a position that would attract the kind of person that can fill that spot and 1 year is much more attractive than 6 months. The second thing I am wondering about if this goes forward is, do I understand that it will be fostered in a way as an addition to the overall budget because up until Monday night the figure had shown that the full program would save \$240,000 and I am just wondering if this proposal will be structured in a way that it will appear, maybe it won't I don't know, as though it is an additional expense so if the Supervisors were to vote against it they would be voting against an extra expense."

Commissioner Ciani: "Well, that is a dilemma because if we didn't make it additional and they struck it out then we would also be striking out the people that we already have, so I think, tactically we have to add it and argue that the cost savings is in releasing that number of sworn personnel in the department, adding, as an addition to our sworn forces, those people that would be released."

Mr. Brosnahan: "Well, could I ask, through the Commission to ask the Chief whether or not the eight that will be released could be used to some additional position so that the savings will be clear to everybody. It is very difficult when you sponsor a program that will save the city \$250,000 it would be less than the positions.....it appears as though we are asking for some additional funds which we are not."

Commissioner Siggins: "I think we would have to look through, including me Mr. Brosnahan, of the time that we are cut off from amending the budget we can put that in there in a way that if we are going to go forward with it and try to use our resources to sell that to the Board of Supervisors....your point is well taken and we have to show that it doesn't enter into the budget or in a way that it does reflect some savings or at least is equal to the budget."

Mr. Brosnahan: "Thank you that answers my question."

Chief Gain: "May I comment Mr. President? I would suggest, 1.- that they be Civil Service positions, I think it is a good point that if persons are asked to take a temporary job for one year there is no job security. It would really adversely effect, I think, their attitudes. I don't think we are going to lose because 6 months probation if they don't work out in that time fine, but even after that whether it is two years, three years or even one year, they can still be separated. I just don't think that going with temporary positions is going to be the appropriate thing."

Commissioner Ciani: "Well how can they be separated after two years?"

Chief Gain: "It is simply a matter of explicit performance standards, in writing and whether they meet those performance standards through evaluation and reports and I think we have been remiss generally in government, here at least, in not holding people to account, I mean in a very fair way."

Commissioner Hall: "But that is argumentative so that we can have a case when you put such a standard and they can certainly argue with whether the standard is justifiable or whether they feel it isn't."

Chief Gain: "Well, you would have to have an explicitly written standard that you use to evaluate their actions and output against that standard. But that is only a suggestion. Another thing that I might comment upon as regards to this being an addition to our budget, I would say this, that historically here, as common in government, we have never filled all of our police vacancies, our sworn vacancies. I don't know what the continual vacancy is but it is high. I would only comment on that to the Commission so that during the next fiscal year I would say that we would be running continuously vacant positions at some rank so that we would have sufficient money. I want to submit that to you now. So we will put it in as extra positions in our budget and therefore an additional amount, but I think that it could be put in so that we in recognition that we don't fill our vacancies then we determine what number of police positions that would equate with and then reduce positions by that number. Not now but at the appropriate time."

Commissioner Ciani: "But those funds can't be used to hire civilian personnel."

Chief Gain: "What we would do would be to create positions, non-police positions, and then we would reduce sworn positions by some appropriate method. The only thing I am saying is, if we chose here to decrease the sworn members by EX number in order to acquire the funds to fund these positions in our budget and not ask for additional funding then that position would be sound. It would not in fact, take any policemen off the street constantly. We just never fill all of our positions."

Commissioner Ciani: "I think it is important too, if we don't withdraw this as a result of meetings with the Police Officers, that we immediately start the Civil Service process and that is the important factor for putting it in timely with the budget."

Chief Gain: "May I suggest that an announcement or an invitation be extended at the point of your remarks to officers in the department to meet with you, say, two weeks hence, would that be your desire?"

Commissioner Ciani: "I think that we stopped that series of meetings at the stations on the basis of an erroneous reading of the Charter and I am still convinced of that. So we could, if we thought that certain insidious forces would permit those meetings to be productive, go forward with those meetings. Otherwise, we would limit it to meet and confer sessions. I do still think it would be helpful for us to meet with the officers at the stations but not under the circumstances that applied to our last attempt."

Commissioner Siggins: "Well, lets see if we can't get that moving again."

Chief Gain: "It is at your pleasure. We'll get a schedule and get it going again."

Commissioner Siggins: "Commissioner Ciani is a vote counter and she recognizes that the work that the Bar Association has put into the program, the splendid way that it has been presented to us. The fact is that this is not what they wanted. They will find fault with this and I am sure they haven't had an opportunity to study it or analyze it. It is in effect compromising their program. It would take in some of the things that they have suggested, the high points of having in some instances civilians investigate certain claims and allegations. It is the only way we are going to get started and especially from a pilot test program. I can't see anything wrong with it. We can stop it before it gets too far but we are putting it into the budget to at least get something moving."

Commissioner Hall: "Are we ready to vote on that?"

Commissioner Ciani: "We should vote on the amendment and then I suggest we should formally vote on the whole budget."

Commissioner Siggins: "What is the amount that we are talking about?"

Chief Gain: "\$291,550 dollars, not counting space. We will have to figure that out."

Commissioner Siggins: "That was listed at about \$10,000 dollars wasn't it in Captain Conroy's report?"

Commissioner Ciani: "That was space. I am not sure I made myself clear on this. I did not include separate office space for the civilian investigators. I was not including an outside office at this stage."

But I was suggesting that we should have places other than the police stations and the Hall of Justice where civilians can make their complaints, file them and talk to somebody."

Chief Gain: "You are suggesting free space in other governmental buildings is that right?"

Commissioner Ciani: "Yes, that's right. So it does not relate to the estimates for moving expenses and space previously presented to us."

Chief Gain: "We can cost out whether it would be a rental of the facility or I don't know if we can count at all on getting free space anyway, in some of those governmental buildings that is. If that is the desire of the Commission to have a separate facility you better budget for it. I would suggest it."

Commissioner Ciani: "Well, I would suggest that you include space and personnel for two. I know that we owe the public some clear idea of what we are including in this so whether we have a figure or not I think we should direct the department to cost it out on a particular basis, one, two, three, four offices, whatever. Would you, Mr. Brosnahan, have any suggestions?"

Mr. Brosnahan: "I would be delighted to review the figures of the Department and see if we can save a penny here and there or any way that we can help the police we will."

Commissioner Ciani: "Well, what do you think about having one or more offices for the taking of complaints? Is that an essential part of....."

Mr. Brosnahan: "That is a very desirable component of it particularly when you are trying to determine whether it works or not. If it became impossible, then it would be impossible but certainly a desirable aspect of it."

Commissioner Siggins: "Well, that could be worked out even under the present program as I see it."

Commissioner Ciani: "Well, not if we don't have sufficient personnel. The Chief says we don't have enough clerical personnel to move to outside locations. We don't have any budget for rent, telephone, or whatever other costs there are."

Chief Gain: "May I suggest for the purpose of your discussion; if it is one facility with the number of

non-police investigators, three clerical positions \$12,000 each as clerical staff. If you want to entertain this total cost thing then you can direct us to put it in the budget."

Commissioner Ciani: "Then I would add that to my proposal. I am wondering whether there are civilian personnel elsewhere doing that function. There is no saving in moving personnel?"

Mr. Brosnahan: "Can I make one inquiry, has any study been done by the department to determine what savings will develop by reason of this particular program? So far it seems that figures are being added and I am not sure that any savings are being computed in the figures."

Commissioner Hall: "We are just hearing it tonight for the first time, at least I am."

Mr. Brosnahan: "Me too."

Chief Gain: "Everyone is. We are just looking it over for clerical people; let's assume that we can, as we have already asked in our regular budget for the clerical people that were dropped out for the current physical year. If we get those back we should have adequate clerical staff then to assign to that function. So we wouldn't include clerical, just civilian investigators. Maybe on the number of spaces and rentals that should go in a supplemental budget. I think that is what you decided to do."

Commissioner Ciani: "Call the question."

Commissioner Siggins: "The question is a motion by Commissioner Ciani to amend this budget which has been presented to us to include as I understand it, provisions for eight civilian investigators and one supervisor, provisions for \$50,000 dollars for hiring of hearing officers and also an amount for civilian clerks to work in an office outside of the perimeter of police facilities to accept citizens complaints. Is there a second to that motion?"

Commissioner Gallegos: "I second it."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Ciani, Gallegos
NAYS: Commissioners Hall, Siggins
NOT VOTING: Commissioner Murphy

Sergeant Frazier: "The motion fails."

Mr. Brosnahan: "Will there ever be a vote and if so, when? It doesn't have to be tonight but at some point will there be a vote on that proposal?"

Commissioner Siggins: "Yes there will be."

Commissioner Ciani: "I know Commissioner Murphy has some feelings about this; I frankly don't know how she would vote on this as she is still recovering from surgery, but I also know that the Doctor suggested that it might be possible to have a meeting at the hospital and perhaps we could call a special meeting at the hospital and take this matter up again. That is what I would like to do if it can be worked out in the near future. Perhaps even before this budget is submitted."

Commissioner Gallegos: "What is the deadline for submitting it?"

Chief Gain: "The 31st, if the Commission desires, we can ask for special consideration and submit our budget one (1) week late for something of that nature. We can inquire tomorrow."

Commissioner Siggins: "Well, we can go ahead and submit this as it is."

Commissioner Ciani: "I would be opposed to submitting it. I would like to request an extension and get a vote of the full Commission. I feel strongly enough about this that I think we ought to make a statement when we submit the budget the first time, rather than amend it in. That is why I suggested that we put it in and amend it out if there be cause to amend it out later. And I think that has a psychological effect. There is a great difference between the two. I feel very strongly about it."

Commissioner Gallegos: "I think the real issue too is whether we really believe in it as a vehicle which has merit or not and if it doesn't then we ought to vote as such."

Commissioner Hall: "What we have voted on tonight is not the O.C.C., as presented, we voted tonight on a modification to be put into the budget."

Commissioner Gallegos: "I will make a motion for the acceptance of the whole O.C.C., proposal if you want."

Commissioner Hall: "Well I would still vote no."

Commissioner Ciani: "Well we did have overwhelming testimony from the public and we hold ourselves out to be a different Commission, a Commission that is going to act on things. Yet we have had this proposal before us for nearly a year and I think we owe the public some action whether it be positive or negative."

Commissioner Hall: "I think we are giving it. We are giving it now. We voted, at least I did. I just voted."

Commissioner Ciani: "I know, but I don't think that's determinative. I don't know what our rules provide when we have a deadlock except to find a way to break that by having another meeting....."

Commissioner Hall: "What you are saying is that you will not accept no."

Commissioner Ciani: "It wasn't no, it isn't no."

Commissioner Hall: "You won't accept my no, you accept your yes, but you won't accept my no."

Commissioner Ciani: "You won't accept our two yes votes any more than I will accept your two no votes."

Commissioner Hall: "I am satisfied with the way it is going. I am satisfied with my voting and I am not trying to change yours."

Commissioner Siggins: "Well, we still have the budget to consider as presented to us and within the time limit for amending it we can get the vote of Commissioner Murphy and secondly, if we move as you suggested or make a recommendation suggesting when we move the budget along, that we do have this pending."

Commissioner Ciani: "I would be opposed to that. I would suggest instead that we seek a one (1) week extension and try to get a full vote."

Commissioner Hall: "I will not be here. Make it two (2) weeks and I will be here."

Commissioner Siggins: "The motion now is to continue the matter for two (2) weeks and request an extension and if that passes, I will discuss it with the Mayor's office."

Commissioner Hall: "Just one question before we vote. Are you sure you can get an extension on that?"

Chief Gain: "I don't think we will have any problem on that Mr. Commissioner, we could do it tomorrow."

Commissioner Hall: "I just want to be around when it comes up again."

Lieutenant Lennon: "The budget stays in the Mayor's Office approximately ten (10) days, at which time he has his public hearings and then he sends it to the Board of Supervisors."

Commissioner Siggins: "And an informational type budget would give him a start on other programs you see. They can understand that we are wrestling with the one aspect of it."

Commissioner Ciani: "Are you proposing to submit the budget without my amendment as an informational budget? Is there any possibility that that might appear to have been approved?"

Commissioner Siggins: "No, before I submit it, I would ask that you check the wording of your amendment."

Commisisoner Ciani: "Okay, I will write it up."

Commissioner Siggins: "Then we have the motion that this matter be carried over to February 9, 1977."

Mr. Brosnahan: "I appreciate the Commission wrestling with the procedural aspects of the problem but I find myself with the White Panther Party and I will be very brief. We have been here for eight months. You have had a lot of people come here and say a lot of things to you. You have just had two no votes and as of this moment there hasn't been one word ever expressed in public as to what those votes are based on. The reasons for them, how you arrived at them and how you got there. I think that whether it is tonight or anytime that you chose, you may vote any way that you chose, I understand that. You must do what you must do and we must do what we must do. But at some point if 600 people are told no it must be articulated in a way that they can at least begin to understand because without it, frankly, it is very hard to understand the proceeding such as the one that I have been to, and I hope that at some point there will become an articulated basis for the two no votes that have been rendered."

Commissioner Siggins: "Your point's well taken. Thank you."

Commissioner Ciani: "I don't want to carry it forward to a definite date because if the travel plans of Commissioner Hall or Commissioner Murphy's health are such that we could schedule a Special meeting before that time I think we ought to leave that option open. So on or before a date two (2) weeks from now we will take the matter up."

Commissioner Siggins: "And I will cooperate and call a meeting if Commissioner Murphy feels up to it at the hospital."

Commissioner Hall: "On or before the ninth you have two hearings, as far as I am concerned you have. It would probably be on Saturday."

Commissioner Siggins: "You are not coming back until the 9th?"

Commissioner Hall: "I am coming back the 5th of February, I am leaving on the 31st."

Commissioner Siggins: "Yes, well we could have it on either the 7th, 8th, or 9th. Okay, do you want to put that in the form of a motion?"

Commissioner Gallegos: "I will second it."

Commissioner Ciani: "I don't know if it is necessary."

Commissioner Siggins: "Okay, all in favor?"

AYES: Commissioners Ciani, Gallegos, Hall
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 24-77

HEARING ON REQUEST FOR EXTENSION OF TIME TO ACTIVATE
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY(JIT-
NEY BUS PERMIT) - APPROVED

WHEREAS, the hearing on the request for an extension of time to activate the jitney bus permit of Mr. Jorge Arrospide was called, it having been set for this date; and

WHEREAS, Mr. Arrospide appeared in person and stated that because of personal financial

difficulties, he needed an extension of three (3) months to activate his jitney bus permit, be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 25-77

POLICE OFFICER DONALD W. BREWER, TARAVAL POLICE STATION.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Donald W. Brewer, as follows:

SPECIFICATION NO. 1

Failure to enforce the Rules and Procedures of the San Francisco Police Department. (Violation of Section 8.145 of the Rules and Procedures of the San Francisco Police Department.)

by Cornelius P. Murphy; Captain of Police, Commanding Officer of the Taraval Police Station; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Donald W. Brewer, Taraval Police Station, be, and the same is hereby set for Wednesday, February 16, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 26-77

SENIOR CLERK-TYPIST ELIZABETH HALBERG, BUREAU OF SUPPORT SERVICES.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Senior Clerk-Typist Elizabeth Halberg, as follows:

SPECIFICATION NO. 1

Neglect of Duty. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Conduct prejudicial to the efficiency and discipline of the department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police, therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Senior Clerk-Typist Elizabeth Halberg, be, and the same is hereby set for Wednesday, February 23, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 28-77

DATE TO BE SET FOR THE HEARING OF POLICE OFFICER DONALD FORTE, TARAVAL POLICE STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Donald Forte, Taraval Police Station, was called; and

WHEREAS, Sergeant David P. Roche, Legal Officer, stated that since Police Officer Donald W. Brewer has returned to duty having been on disability and involved in the same incident, that a date should be set for the hearing; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Donald Forte, Taraval Police Station, be, and the same is hereby set for Wednesday, February

16, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 29-77

DATE TO BE SET FOR THE HEARING OF POLICE OFFICER
VLADIMIR SHEGOLEFF, TARAVAL POLICE STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Vladimir Shegoleff, Taraval Police Station, was called; and

WHEREAS, Sergeant David P. Roche, Legal Officer, stated that since Police Officer Donald W. Brewer has returned to duty having been on disability leave and involved in the same incident, that a date should be set for the hearing; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Vladimir Shegoleff, Taraval Police Station, be, and the same is hereby set for Wednesday, February 16, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 30-77

HEARING OF INSPECTOR RONALD LIMNEOS, JUVENILE
BUREAU.

WHEREAS, the hearing of Inspector Ronald Limneos, Juvenile Bureau, was called, it having been set for this date; and

WHEREAS, Mr. George Walker, Attorney at Law, who is representing Inspector Ronald Limneos, has requested that a date for the hearing be set after the criminal proceedings have been disposed

of in this matter; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Inspector Ronald Limneos is set for Wednesday, March 2, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 31-77

HEARING OF POLICE OFFICER MICHAEL H. GALLAGHER, PARK POLICE STATION.

WHEREAS, the hearing of Police Officer Michael H. Gallagher, Park Police Station, was called, it having been set for this date; and

WHEREAS, Mr. Stephen Bruce Bley, Attorney for Police Officer Michael H. Gallagher, has requested a continuance in this matter because of Officer Gallagher's continued incapacitation due to earlier injuries sustained; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Michael H. Gallagher, is set for Wednesday, February 23, 1977, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 33-77

HEARING OF POLICE OFFICER GEORGE MOISSANT, TARAVAL POLICE STATION.

WHEREAS, the hearing of Police Officer George Moissant, Taraval Police Station, was called, it having been set for this date; and

WHEREAS, Mr. George Engler, Attorney for Police Officer George Moissant, has requested a continuance in this matter as Officer Moissant is still

undergoing medical treatment for his condition, and a hearing at this time would be detrimental to his health; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer George Moissant is set for Wednesday, February 23, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

499 JACKSON STREET - PLAYBOY CLUBS INTERNATIONAL

- a) At 499 Jackson Street, revoke 22' white zone and 40' yellow zone.

798 MONTGOMERY STREET - PLAYBOY CLUBS INTERNATIONAL

- a) At 798 Montgomery Street, revoke 40' white zone.

50 ESSEX STREET - (METROPOLITAN PARKING LOT)

- a) At 50 Essex Street, revoke existing 25' yellow zone.

1000 - 15th STREET - SIDNEY DAVIS FABRICS, INC.

- a) At 1000 - 15th Street, install a 44' yellow zone, to extend west of east property line - (from 40' - 84' west of east property line.)

555 GOLDEN GATE AVENUE - ROCCA'S RESTAURANT

- a) At 555 Golden Gate Avenue, revoke

revoke existing 51' yellow zone.

211 MAIN STREET - VETERANS ADMINISTRATION

- a) At 211 Main Street, revoke existing 44' white zone, and install a 44' blue zone, to extend from 76' - 120' south of Howard.

524-526 WASHINGTON STREET - WALDECK'S

- a) At 524-526 Washington Street, install a 40' yellow zone, to extend from 18'-58' west of east property line.

590 BAY STREET - RAMADA INN

- a) At 590 Bay Street, install a 38' white zone, to extend east of west property line.

198 BROAD STREET - FAMILY MARKET

- a) At 198 Broad Street, install a 22' green zone, to extend from 16' - 38' east of west property line - (by entrance.)

50 DARIEN WAY - COMMODORE SLOAT SCHOOL

- a) AT 50 Darien Way, install a 176' white zone, to extend from 44' east of, to 132' west of San Rafael Way - (also revoke 130' white zone on Junipero Serra Service Road.)

200 CLAREMONT BLVD. - WEST PORTAL SCHOOL

- a) At 200 Claremont Blvd., install a 210' white zone, to extend north of south property line - (also revoke 235' white zones at #2 Claremont Blvd.)

#30 TENTH STREET - BANK OF AMERICA

- a) At #30 Tenth Street, install a 44' yellow zone, to extend from 122' - 166' north of Jessie.

1390 LOMBARD STREET - KPIX ANNEX

- a) At 1390 Lombard Street, install an 8' yellow zone, to extend from 24' - 32'

west of east property line -
(horizontal parking.)

1766 MISSION STREET - WOODWARD'S GARDENS VETERINARY
HOSPITAL

- a) At 1766 Mission Street, install a 24' green zone, to extend south of north property line.

2199 GREENWICH STREET - GREENWICH GRILL

- a) At 2199 Greenwich Street, install a 22' white zone, to extend from 6' - 28' east of west property line - also remove parking meter GREENWICH-2145.

55 FRANCISCO STREET - FIBERBOARD CORPORATION

- a) At 55 Francisco Street, install a 68' yellow zone, to extend from 131' - 199' west of Montgomery Street.

2400 - 20th AVENUE - NURSERY SCHOOL - PARKSIDE

- a) At 2400 - 20th Avenue, install a 22' white zone, to extend north of south property line - also remove parking meter 20th AVE. 2414.

489 CHURCH STREET - (BUSINESS CLOSED)

- a) At 489 Church Street, revoke existing 30' yellow zone and 20' green zone.

3698 - 17th STREET - (BUSINESS CLOSED)

- a) At 3698 - 17th Street, revoke existing 18' yellow zone.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 685 feet of white, yellow and green zones at various parts of the City

at the locations submitted be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

HEARING OF POLICE OFFICER JOHNNIE FLANNIGAN, MISSION POLICE STATION

The hearing of Police Officer Johnnie Flannigan, Mission Police Station, was called, it having been set for this date. Police Officer Johnnie Flannigan was charged with violating the Rules and Procedures of the San Francisco Police Department, as follows:

SPECIFICATION NO.1

Improper use of authority vested by nature of Office. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO.2

Unlawful sexual intercourse with a female. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Unlawful taking of money, firearm used. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

*SPECIFICATION NO. 4

Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.

*Filed with the Police Commission on January 12, 1977.

Police Officer Johnnie Flannigan appeared in person and was represented by Mr. Carlos C. LaRoche, Attorney at Law.

Sergeant David P. Roche, Legal Officer, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Police Officer Johnnie Flannigan entered, through his attorney, a verbal plea of "nolo contendere" to all specifications.

A closing statement was then presented by Sergeant David P. Roche, Legal Officer for Prosecution.

A closing statement was also presented by Mr. Carlos C. LaRoche, Defense Attorney.

The Commission took the matter under submission and then recessed from 2210 hours to 2225 hours, after which time the following resolution was adopted:

RESOLUTION NO. 27-77

DECISION - HEARING OF POLICE OFFICER JOHNNIE FLANNIGAN,
MISSION POLICE STATION

WHEREAS, on November 11, 1976, Charles R. Gain, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Johnnie Flannigan, as follows:

SPECIFICATION NO. 1

- a) That on or about October 21, 1976, in the late evening hours, while off duty, in civilian dress, and operating his personal vehicle, the accused did encounter a female prostitute on the street in the Hayes Valley area of San Francisco.
- b) That after a solicitation for an act of prostitution was made, the accused did identify himself as a San Francisco Police Officer by displaying a star to said female and informing her that she was under arrest.
- c) That the accused then transported said female in her personal vehicle away from the Hayes Valley District, informing her that they would be met by his partner. Accused stopped the vehicle at approximately 13th and Bryant Streets and informed said



female that he would not arrest her if she would agree to accompany him to a cocktail lounge for a drink.

- d) That because of the above-stated conduct, the accused did use his official status of a San Francisco Police Officer to coerce said female to submit to his demands which conduct did reflect discredit on the Department and did, therefore, violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department as quoted below:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

SPECIFICATION NO. 2

- a) That each and every allegation of paragraphs (a) through (c) of Specification No. 1 is incorporated herein as if each were fully restated;
- b) That during the late evening hours of 21 October, 1976, or early morning hours of 22 October, 1976, the accused did obtain lodging for said female and himself at the Oasis Motel in San Francisco. After entering the motel room, the accused did pay said female the sum of \$100 for the purposes of engaging in an unlawful act of sexual intercourse and did so innmediately thereafter engage in an act of sexual intercourse with said female.
- c) That by reason of said conduct, the accused did engage in an act which is proscribed by public policy and laws and in so doing did engage in conduct which reflects discredit on the San Francisco Police Department and which conduct did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department, hereinafter quoted:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 3

- a) That each and every allegation of paragraph (a) through (c) of Specification No 1 and Paragraph (b) of Specification No. 2, are incorporated herein as if each were fully restated.
- b) That by the nature of his office, the accused is authorized to carry with him, while off duty, a firearm as prescribed by the Rules and Procedures of the San Francisco Police Department.
- c) That while the accused and said female were on the premises of the Oasis Motel, the accused did, without lawful cause or excuse, display, point and threaten with a firearm said female and did unlawfully take from said female the sum of \$100.
- d) That because of the above-stated conduct, the accused did create a breach of peace and reflect discredit on the San Francisco Police Department. By reason of this conduct, the accused did violate Rule 2.13 of the Rules and Procedures of the San Francisco Police Department, hereinafter quoted:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable

and punishable by the Board."

FIRST AMENDED COMPLAINT - SERVED JANUARY
12, 1977

- a) That each and every allegation of Specification 1, 2, and 3, are incorporated herein as though fully set forth.
- b) That on or about November 4, 1976, at or about 1530 hours, members of the San Francisco Police Department especially assigned by lawful authority to conduct an investigation involving police matters interrogated the accused. The accused was specifically asked as to his whereabouts on Tuesday, October 21, 1976, at or about 11:30 p.m.,
- c) The accused responded at the above-stated time and place he was at Clear Lake Highlands.
- d) This answer was untruthful.
- e) That because of the above-stated conduct the accused did violate Rule 2.49 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statement and declarations made orally, or in writing, in the foregoing matters shall contain the truth without evasion."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, January 26, 1977, and that on Wednesday, January 26, 1977, the matter was submitted to the Police Commission for decision; and

WHEREAS, at the hearing of Wednesday, January 26, 1977, the Police Commission recommended that Specification No. 1, Specification No. 2, and Specifi-

cation No. 3, Section 2.13 of the Rules and Procedures of the San Francisco Police Department be deleted; and

WHEREAS, the Police Commission finds that said charges made and filed against Police Officer Johnnie Flannigan, Mission Police Station, as contained in Specification No. 1, are sustained, and that Police Officer Johnnie Flannigan pleaded "nolo contendere or no contest" to the violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Johnnie Flannigan has violated Specification No. 4, Section 2.49 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violation, Police Officer Johnnie Flannigan be suspended for sixty-eight (68) days without pay commencing at 1200 hours, Friday, November 5, 1976, and terminating on Tuesday, January 11, 1977 at 2400 hours.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

(The entire proceedings were recorded
on cassette tape.)

RESOLUTION NO. 10-77

MARK KERBER

RESOLVED, that the recommendation of the City Attorney for settlement of Small Claims Court Action No. 327487 in the sum of \$202.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 3, 1975

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy



RESOLUTION NO. 11-77

JACK LIPPMAN & UNDERWRITERS ADJUSTING CO.

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of Jack Lippman against the City and County of San Francisco in the sum of \$964.28 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Incident: August 23, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 12-77

LENORE HOCKING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lenore Hocking against the City and County of San Francisco in the sum of \$58.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 15, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 13-77

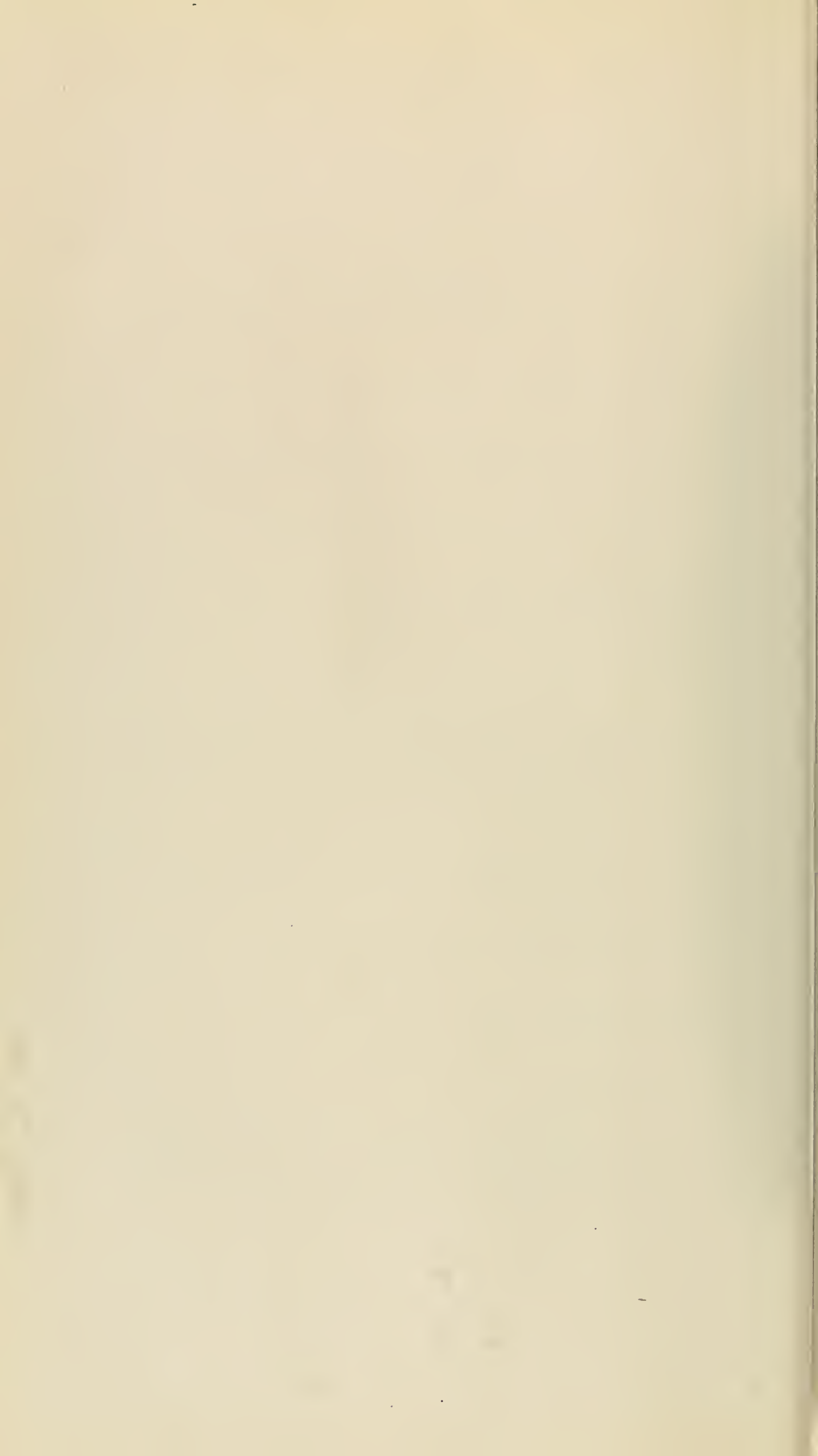
RUBY JACKSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ruby Jackson against the City and County of San Francisco in the sum of \$85.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 17, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy



RESOLUTION NO. 14-77

ANDREW S. JAMES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Andrew S. James against the City and County of San Francisco in the amount of \$329.18 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 21, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 15-77

GLENN M. JUDD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Glenn M. Judd against the City and County of San Francisco in the sum of \$50.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 19, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 16-77

HARRY L. LEE

RESOLVED, that the recommendaton of the City Attorney for settlement of the claim of Harry L. Lee against the City and County of San Francisco in the sum of \$440.73 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 11, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy



RESOLUTION NO. 17-77

STEVEN I. LESTER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Steven I. Lester against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 9, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 18-77

JOSEPH GREEN AND ANN WYNNE AND THEIR
ATTORNEY WILLIAM L. OSTERHOUDT

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Joseph Green and Ann Wynne in the sum of \$500.00 in United States District Court No. C 76-376 SW entitled "Joseph Green and Ann Wynne v. City and County of San Francisco, et al." as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 3, 1975

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Inspector Frank McFarland, Bureau of Inspectors, for industrial disability, effective January 19, 1977.
- b) Sergeant Leon Svirsky, Taraval Police Station, for service, effective January 5, 1977.

- c) Police Officer Joseph T. Ryan, Southeast Police Station, for Industrial Disability, effective January 5, 1977.

The communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 19-77

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES - APPROVED

WHEREAS, Inspector Ronald G. Limneos, Juvenile Bureau, was suspended without pay effective at 1600 hours, November 30, 1976, pending hearing of the charges before the Police Commission; and

WHEREAS, Inspector Ronald G. Limneos has requested a Leave of Absence Without Pay pending hearing of charges before the Police Commission; therefore be it

RESOLVED, that Inspector Ronald G. Limneos, Juvenile Bureau, be placed on an extended Leave of Absence Without Pay at his request for a period of ninety (90) days commencing January 17, 1977, until his hearing is held before the Police Commission.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

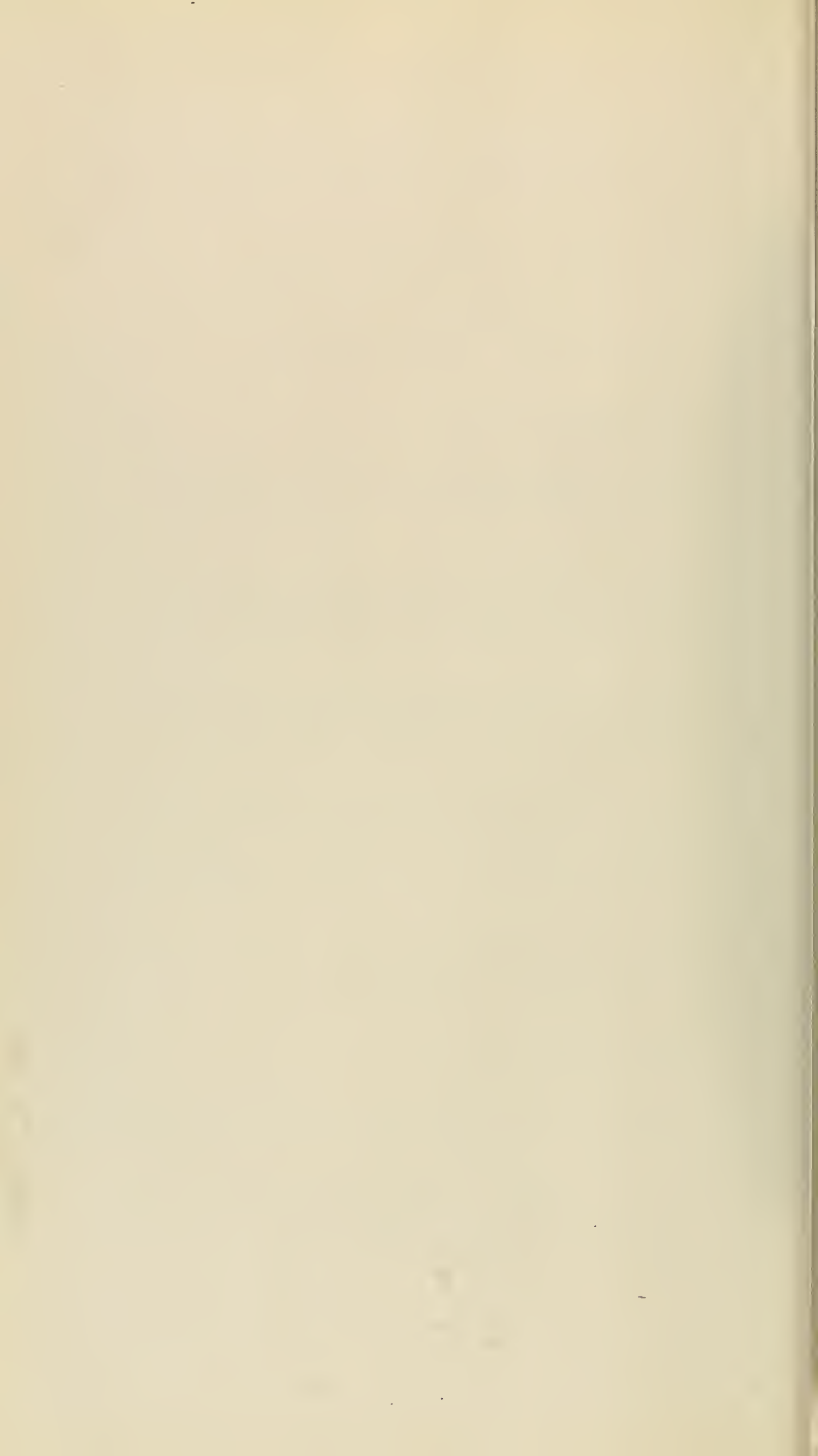
NOT VOTING: Commissioner Murphy

RESOLUTION NO. 20-77

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES- APPROVED

WHEREAS, Police Officer Michael H. Gallagher, Park Police Station, was suspended without pay effective at 0001 hours, Friday, March 26, 1976, pending hearing of the charges before the Police Commission; and

WHEREAS, Police Officer Michael H. Gallagher,



has requested a Leave of Absence Without Pay pending hearing of charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Michael H. Gallagher, Park Police Station, be placed on an extended Leave of Absence Without Pay at his request for a period of ninety (90) days commencing January 23, 1977, until his hearing is held before the Police Commission.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 21-77

AUTHORIZING ATTENDANCE OF LIEUTENANT CHARLES F. BEENE, CRIME SPECIFIC TASK FORCE, AT THE NEW YORK POLICE DEPARTMENT CRIME UNIT, FROM JANUARY 30, 1977 TO FEBRUARY 12, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Charles F. Beene Crime Specific Task Force, be detailed to attend the New York Police Department Crime Unit for training, from January 30, 1977 to February 12, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Charles F. Beene, in attending this training course, will be defrayed by the Law Enforcement Assistance Administration.

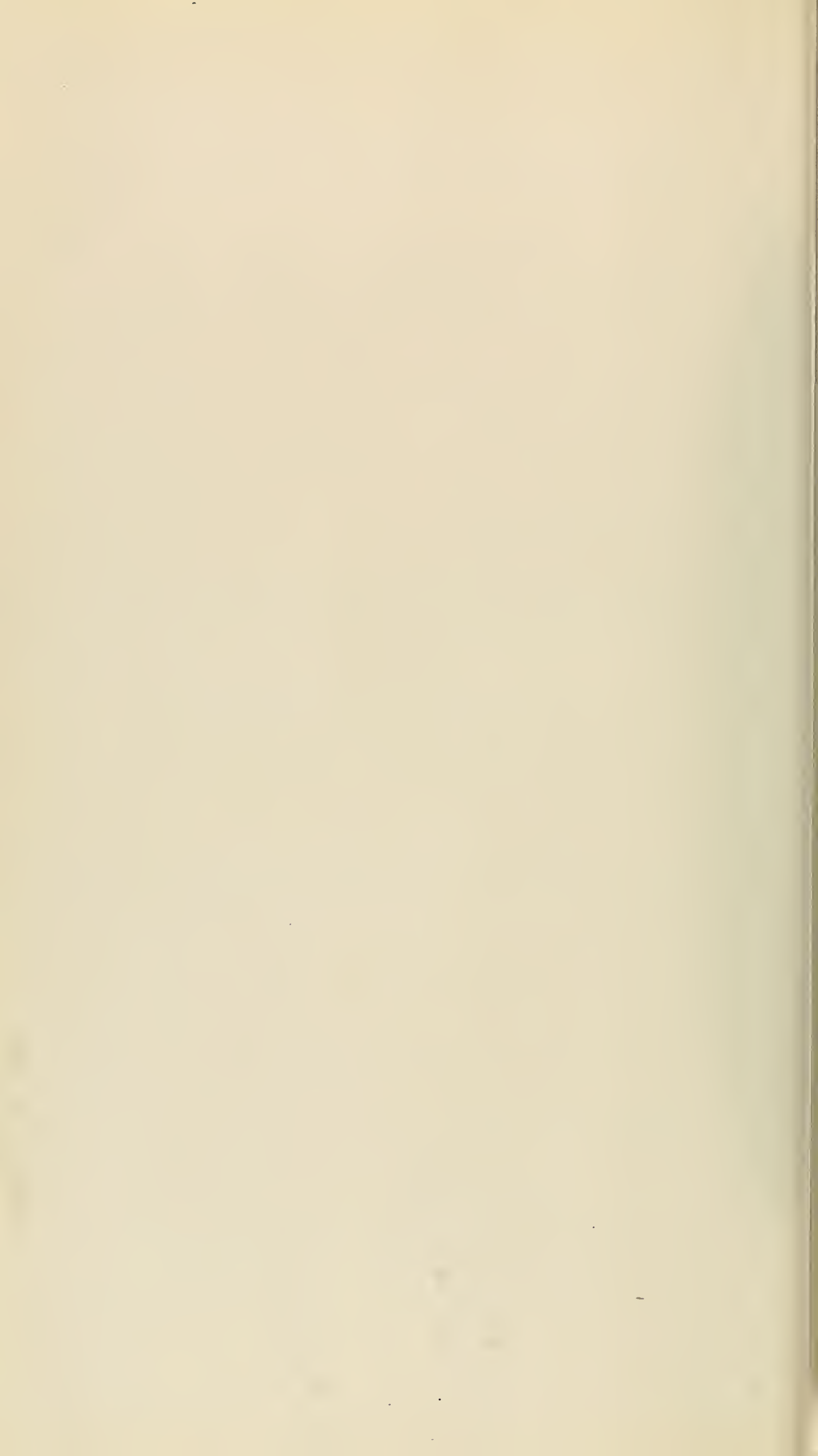
AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 22-77

REQUEST TO TRANSFER FUNDS

RESOLVED, that the Controller be, and he is hereby requested to transfer funds in the amount of \$338,567 from unallotted funds to allotted funds in Appropriation No. 6.161.110.000.000 (Permanent Salaries-Uniform Force) to pay salary differential of Uniform Force retroactive from July 1, 1976 to December 7, 1976; \$94,885 from reserve funds to allotted funds



in Appropriation No. 5.161.111.000.000 (Extra Duty-Uniform Force); and \$69,380 from reserve funds to allotted funds in Appropriation No. 5.161.112.000.000 (Holiday Pay - Uniform Force) to pay differential of Uniform Force retroactive from October 28, 1975 to June 30, 1976.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 23-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY COMMUNICATIONS DISPATCHER, BARABARA A. GRIZZEL, AT THE SACRAMENTO LAW ENFORCEMENT TRAINING CENTER AT BRYTE, CALIFORNIA, FROM JANUARY 10, 1977 TO JANUARY 14, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Communications Dispatcher, Barabara A. Grizzel, Communications Division, received permission from the Police Commission to attend the Law Enforcement Training Center at Bryte, California; and

WHEREAS, Communications Dispatcher, Barbara A. Grizzel, did travel to Bryte, California, to attend the Training Center, from January 10, 1977 to January 14, 1977, inclusive; therefore be it

RESOLVED, that expenses in the amount of \$212.75 incurred by Communications Dispatcher, Barbara A. Grizzel, while attending this Training Center are hereby approved. Expenses will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, January 18, 1977 at 2400 hours:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	80	79
Daily average for the week disabled	<u>112</u>	<u>107</u>
TOTALS	192	186

This is an increase of six (6) members off duty daily from the previous week.

		<u>PREVIOUS WEEK</u>
Daily percentage for the week sick	4.03	4.01
Daily percentage for the week disabled	<u>6.79</u>	<u>6.65</u>
TOTALS	10.82	10.66

Disabled at start of week	115
Started during week	18
Returned during week	21
Disabled at end of week	112
Net Gain or Loss	-3

Sick and Disabled for week ending Saturday, January 17, 1976 at 2400 hours:

Daily average for the week sick	56
Daily average for the week disabled	<u>90</u>
TOTAL	146
Daily percentage for the week sick	2.88
Daily percentage for the week disabled	<u>4.81</u>
TOTAL	7.69

Sick and Disabled for week ending Tuesday, December 21, 1975 at 2400 hours:

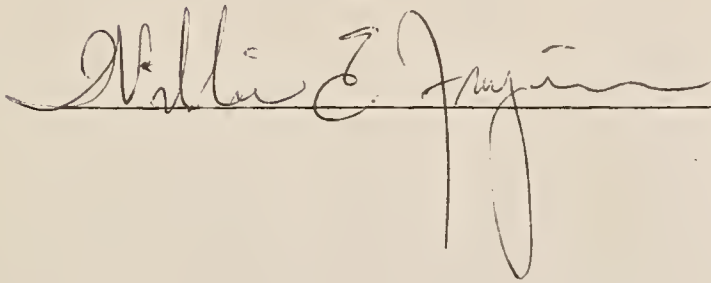
Daily average for the week sick	82
Daily average for the week disabled	<u>110</u>
TOTAL	192
Daily percetnage for the week sick	6.65
Daily percetnage for the week disabled	<u>4.01</u>
TOTAL	10.66

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

The Commission then adjourned its meeting.



A handwritten signature, likely "William E. Higgins", is written in cursive over a horizontal line. The signature is written in dark ink and is positioned in the center of the page.

DOCUMENTS

3 minutes

1977, 2

2 FEBRUARY 1977

SAN FRANCISCO
PUBLIC LIBRARY

EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 2, 1977 in Executive Session at 1700 hours and Regular Session at 1730 hours.

PRESENT: Commissioners Ciani, Gallegos,
Siggins

ABSENT: Commissioners Hall, Murphy

Commissioner Siggins presiding.

1.- PERSONNEL MATTERS.

Chief Gain: "Mr. President, members of the Commission, as you know the Executive Session was for the purpose of making appointments to the appropriate positions in the Department and with your approval to removing certain persons from exempt positions and appointing certain persons to non-civil service exempt positions. Having received your approval to do so, I would like to announce that based upon the technicalities of the Charter, Deputy Chief DeAmicis who has been Deputy Chief of Police of Operations will be removed from that position and become the Deputy Chief of Police for Investigations. Supervising Captain Donald Taylor will be removed from that position and elevated to the rank of Deputy Chief of Police of Operations. Captain Kevin Mullen will be appointed to the exempt position of Deputy Chief of Police of Administration. Captain Agustius Bruneman will be appointed to the position of Supervising Captain of Patrol. If I may announce also that at 10:30 tomorrow morning there will be the formal swearing in of these individuals as necessarily set after your approval so that their families can be present."

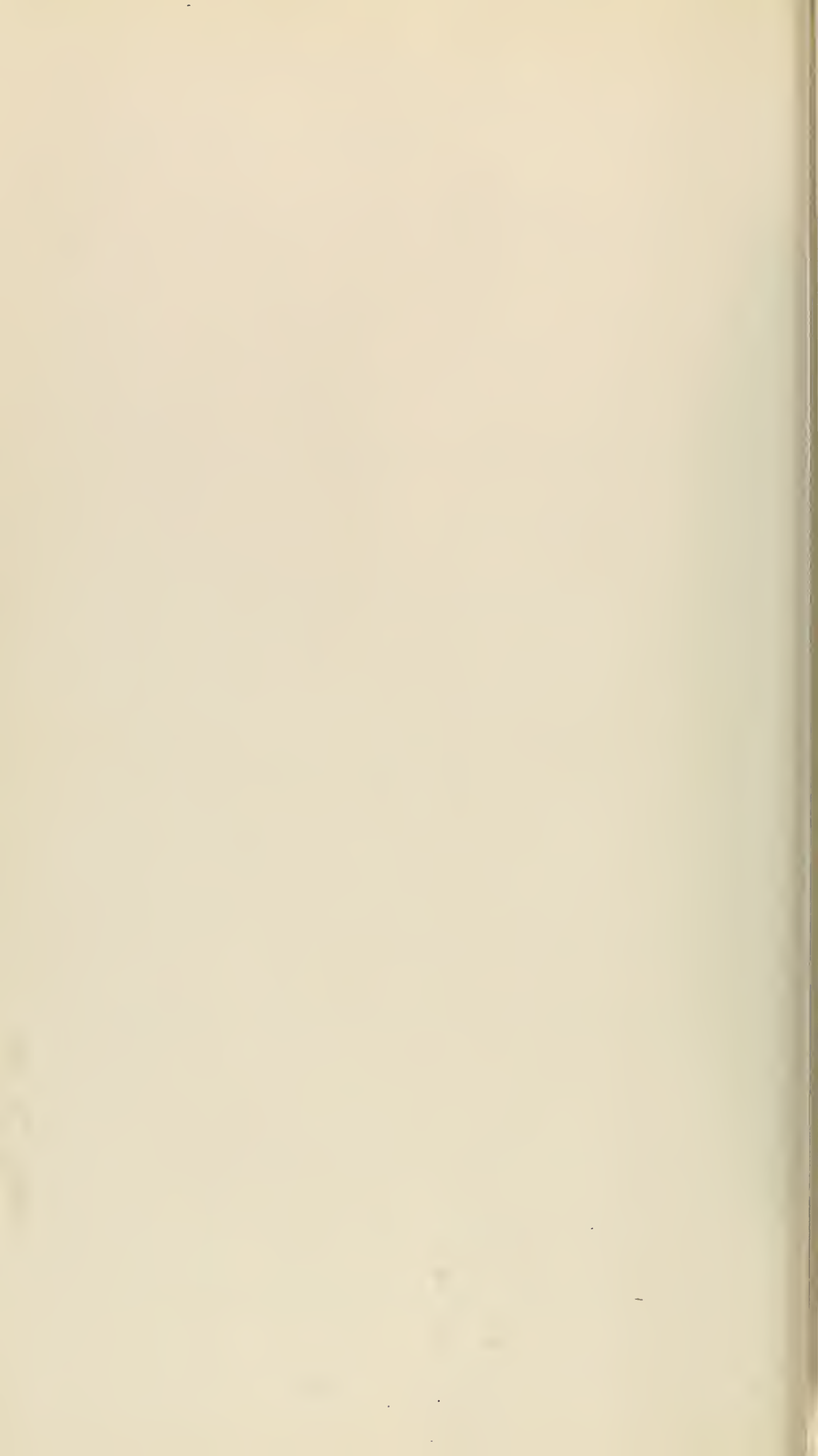
Commissioner Gallegos: "I would like to make a motion that we concur with the recommendation of the Chief."

Commissioner Ciani: "I second."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy



RESOLUTION NO. 32-77

CHANGES IN PERSONNEL OF THE POLICE DEPARTMENT

WHEREAS, subject to the provisions of Section 3.501 of the Charter of the City and County of San Francisco, Chief of Police Charles R. Gain, made the following removal and appointments in the San Francisco Police Department; said position being authorized by Sections 3.534 and 3.533 of the Charter of the City and County of San Francisco:

<u>REMOVALS</u>	<u>EFFECTIVE</u>
Clement D. DeAmicis #1514 Deputy Chief of Police Operations	0001 hrs. Thur. 3 Feb. 77
Donald L. Taylor #1206 Supervising Captain of Patrol	0001 hrs. Thur. 3 Feb. 77

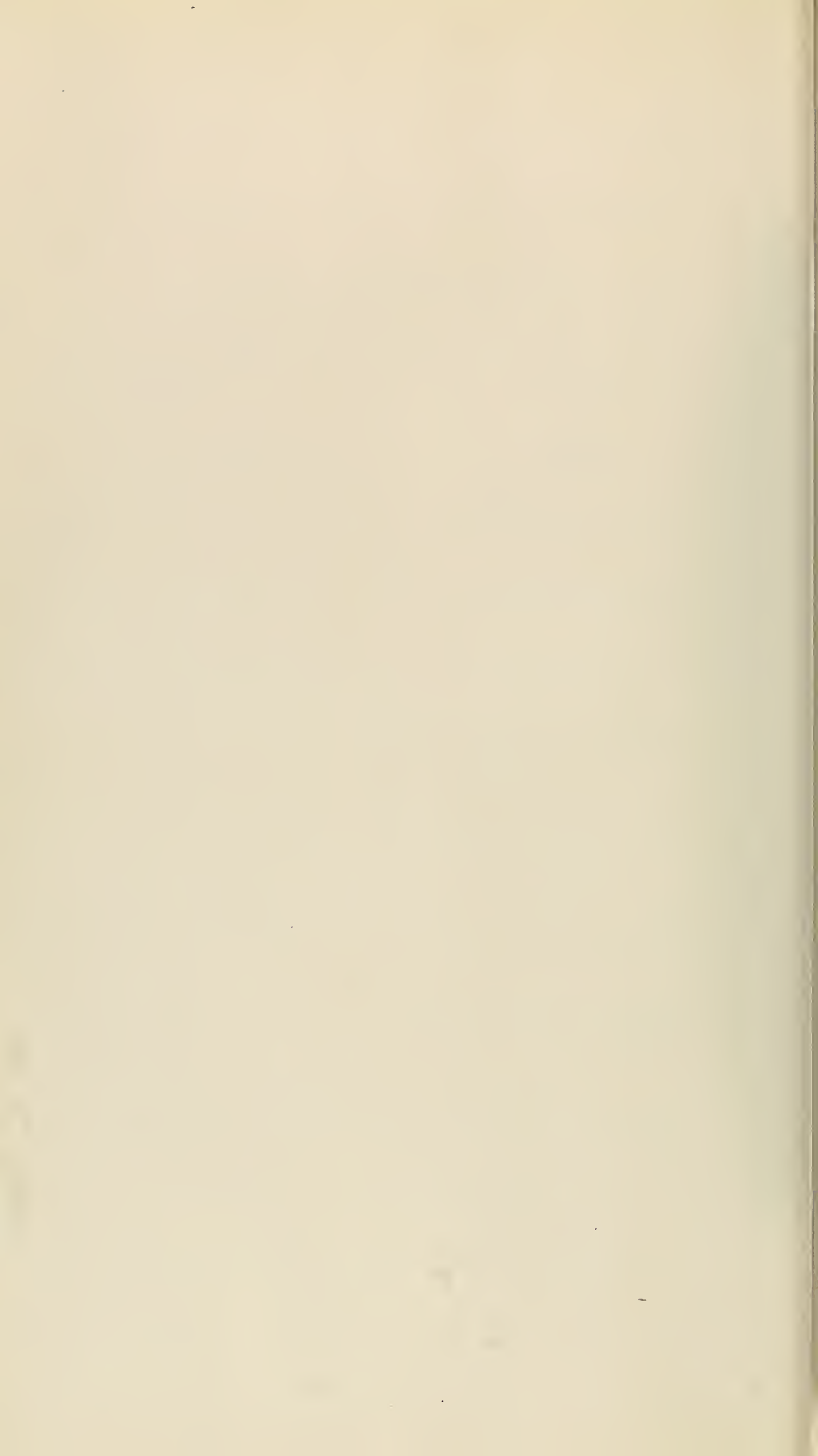
<u>APPOINTMENTS</u>	<u>EFFECTIVE</u>
Clement D. DeAmicis #1514 Deputy Chief of Police Investigations	0001 hrs. Thur. 3 Feb. 77
Donald L. Taylor #1206 Deputy Chief of Police Operations	0001 hrs. Thur. 3 Feb. 77
Kevin J. Mullen #870 Deputy Chief of Police Administration	0001 hrs. Thur. 3 Feb. 77
Agustus B. Bruneman #1784 Supervising Captain of Patrol	0001 hrs. Thur. 3 Feb. 77

RESOLVED, that the above removals and appointments made by Chief of Police Charles R. Gain, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos,
 Siggins

NOT VOTING: Commissioners Hall, Murphy

Commissioner Siggins: "Congratulations to all of you.



We have had the pleasure of working with you in the past year and we would like you to know that we have every confidence in each of you. I might say that two of the moves here were occasioned by the resignation of Deputy Chief Mortimer F. McInerney who has been a personal friend of mine for some time. He resigned from the department as of last Monday and has opened up his law offices out in the Sunset District. The last time I talked to him he had just shot a 76 in golf, but I wish him well and thank him for the many years of service that he has given to this Department."

Chief Gain: "May I, in closing, comment on these appointments, thanking you for the approval and to state to you that your top man team operating under your policies and goals will certainly continue to strive to do all we can to fulfill our principal goal of impacting upon serious crime and then, of course, providing all of those other services that police are required to provide."

2 FEBRUARY 1977

REGULAR SESSION

The members of the Commission, having been furnished copies of the minutes of the meeting of January 26, 1977, reading of same was dispensed with and they were approved.

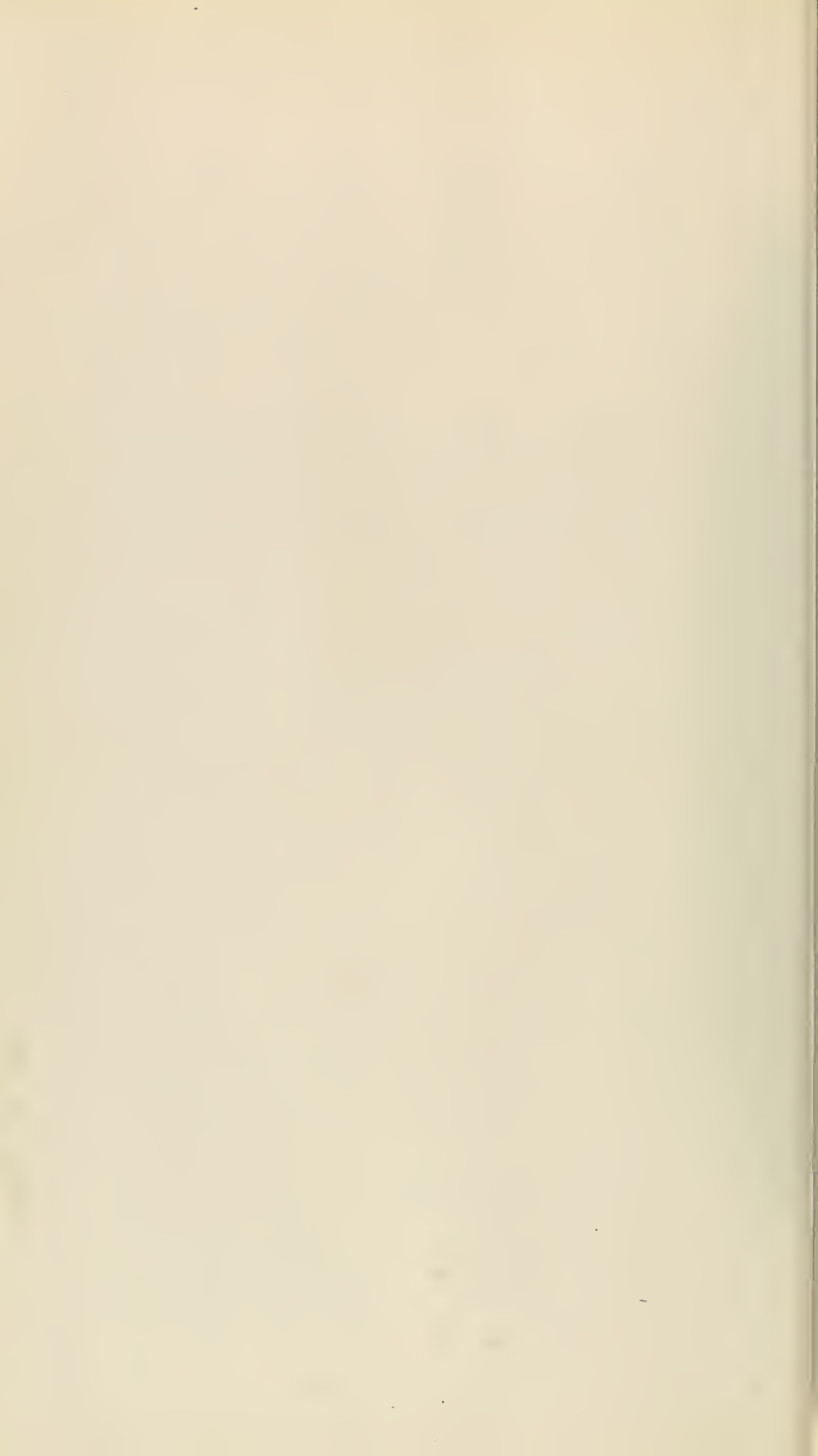
AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain asked if there were community representatives present from the COMO meeting held last night and was informed by Ms. Racquel Leon that there were members present and that others were coming. She stated that they were listed as number eight on the calendar and since some of those members who were at last night's meeting had not yet arrived she preferred to wait for them to arrive before making her presentation.

Chief Gain: "The next item Mr. President, on the report is not an agenda item, it is in regard to our annual budget. To review, the Commission adopted a resolution last week for us to seek a continuance in the submittal of our budget for a two week period. We found, though, in pursuing that direction of the Commission that there is a Charter mandate that we submit the budget on 1 February 1977. It became necessary therefore, notwithstanding, and I apologize for



it, the resolution of the Commission, for us to submit on 1 February, a brief budgeted document consisting of two pages, copies of which has been given to you. I do apologize for having done it. It was a matter of complying with a Charter mandate of which we did not have knowledge when you passed your resolution. I submitted the budget with full knowledge that based upon the provision of the Charter that not only would it be submitted on February, but be approved by the Commission. I submitted an unapproved budget. Therefore the budget submitted is not one approved by the Police Commission and therefore is subject to what action the Police Commission may want to take in light of the discussion of a week ago in regard to the Bar Association Proposal. I would ask that the Commission take action at this time authorizing and directing me to submit the complete budget in the form you may desire tomorrow."

Commissioner Ciani: "I would like to move for approval of the budget as originally submitted by the Department last week subject to the amendment that I proposed at last week's meeting which was voted on and not passed. I would incorporate, by reference, all the statements I made last week regarding, for example, meeting with the P.O.A., and other interested parties and groups in the Department during the period between submission of this budget and the deadline for amendments, which I understand is about a month from now. The details of that motion that was made last week are in the record so I would simply move that we adopt the budget as amended by that motion."

Commissioner Siggins: "Well, the motion itself is the adoption of this budget of \$83,153,787 .00 dollars plus an amendment to include the O.C.C., proposal with 8 civilian investigators at a figure of \$22,549.00 dollars plus a supervisor. Inclusion also of an item of \$50,000 dollars for payment for Hearing Officers and such other funds that may be necessary to establish personnel for the filing of citizens complaints. This is a proposal that was made by Commisisoner Ciani last week as an experimental kind of program as an alternative to the Bar Association for the Office of Citizens Complaints. Is there any discussion on that?"

Commissioner Gallegos: "No I thought we discussed it last week, I call for the vote."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Ciani, Gallegos

NAYS: Commissioner Siggins

NOT VOTING: Commissioners Hall, Murphy

Commissioner Siggins: "I might express my point that I would otherwise approve the 83 million dollar budget

but include at the present time the Internal Affairs Bureau as it is now constituted. There may be a question that last week there was a tie vote and I have discussed with Commissioner Murphy her proposals in this regard and they are very very similar to Commissioner Ciani's and so to keep the budget going I think that it was only fair that we follow the Charter and vote on that issue tonight. We have now a concrete proposal and it has been pointed out to us by the Police Officer's Association that they wanted to meet and confer on this aspect of it, when and only when we had a concrete proposal and here it is now and I ask the Police Officer's Association to meet with us, I invite them to meet with us within the next two weeks, they certainly knew that this was coming up and we would like to have their reaction. Short of that, I would like to have the reaction of all members of the sworn personnel of the Department so that we can know as we go ahead and continue considering this matter not only as a budget item but as a permanent item. That we have their views and I would say right now that the P.O.A., has obstructed our obtaining the views of the Department from the members in this regard. Furthermore, we still feel that throughout the Department there are many officers of whom this would effect do not understand the concept of the proposal, do not understand the reasons why the public have expressed a desire for such a thing and they have couched the whole concept in what they call a Citizen's Review Board which this is absolutely not, it is merely the hiring of Hearing Officers to settle disputes under our direction and furthermore to use Civilian Investigators in certain instances when complaints against the Department are made. Any further comment on that?"

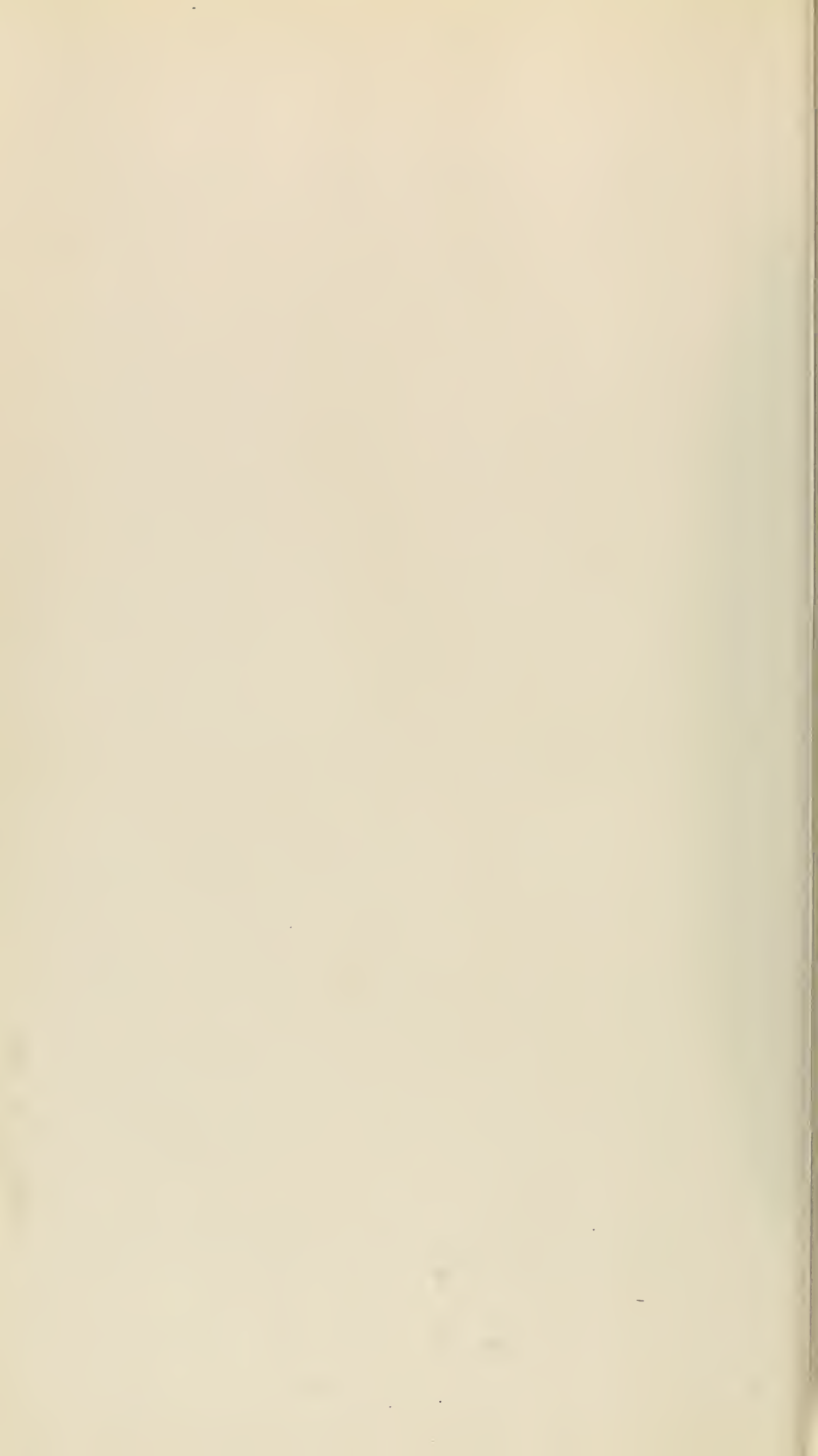
Ms. Ronnie Larsen: "You were asked last week by the Bar Association and other people around you, since you voted no on it as you have just voted, you have just given reasons explaining that the police officers haven't responded to you. Is that....."

Commissioner Siggins: "I have to explain to the Bar Association my reasons and I say this frankly, I may be one of the stronger proponents of it and I think we have a long way to go in this department if we are ever going to get this Office of Citizens Complaints and I think that if the reasons given now were given, were to be used I think before the Board of Supervisors, they would be used at the time for obstructing. I want further input from the officers that are out on patrol and I want to make a further study of this type of plan in other departments."

Commissioner Gallegos: "I think in that regard Mr. Siggins here is a suggestion. I think the Chief may have brought it up, the advisability of a visit by a Commissioner to a number of Cities where such an operation exist, do you volunteer?"

Commissioner Siggins: "I volunteer but I have also been looking at weather reports but it will be done."

The members of the Commission, having been furnished copies of the minutes of the Special Meeting of January 17, 1977, sufficient time was not available for



the Commission to peruse same, therefore approval of the minutes of the meeting of January 17, 1977, was continued to February 9, 1977.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioners Hall, Murphy

TRANSFER OF TAXICAB PERMITS - APPROVED

The matter of the transfer of the right to operate taxicabs by the following-named persons were called for hearing, they having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferors and transferees appeared in person and were not represented by counsel with the exception of the Neil Park, Attorney at Law with Park, Swaner & Leslie for Plaintiff Employers Mutual Liability Insurance of Wausau. The Commission approved the transfer of whatever rights, titles or interest that the within-named transferors might have to operate taxicabs to the within-named transferees; said approvals contingent upon the transferees filing with the Police Commission the appropriate bonds and/or insurance policies as provided by the Police Code:

TRANSFEROR: David Chang, 1439 Leavenworth Street,
San Francisco, California

TRANSFeree: Paul M. Louie, 1663-23rd Avenue,
San Francisco, California (1 Permit)

TRANSFEROR: Yellow Cab Company of San Francisco,
695 - 8th Street, San Francisco, Calif.

TRANSFerees: Samuel Alhadeff, 1700 Sloat Blvd,
San Francisco, Calif. (2 Permits)

Larry Alhadeff, 75 Eastmoor Avenue,
Daly City, California (2 Permits)

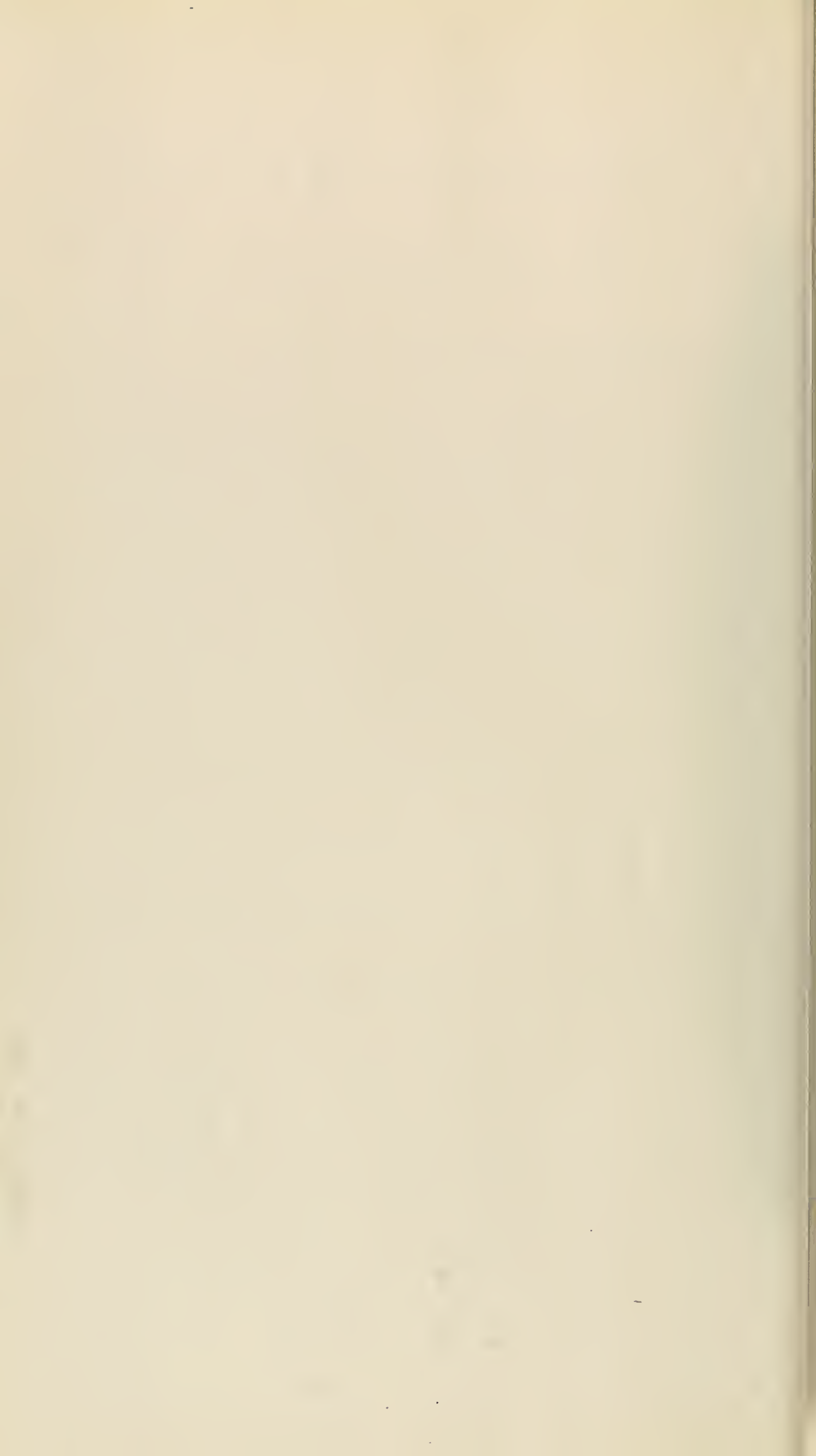
Philip Rancatore, 58 West Cavour,
Daly City, California (1 Permit)

Herman Wikkeling, 129 Broad Street,
San Francisco, California (1 Permit)

Fred Seronick, 592 Hillside Blvd.,
Daly City, California (1 Permit)

James E. O'Connor, 72 Merced Avenue,
San Francisco, California (2 Permits)

Leon Slade, 273 Howth, San Francisco,
California (1 Permit)



Al Graf, 859 Bryant Street,
San Francisco, Calif. (1 Permit)

Frank Tripoli, 1384 Madera Way,
Millbrae, California (1 Permit)

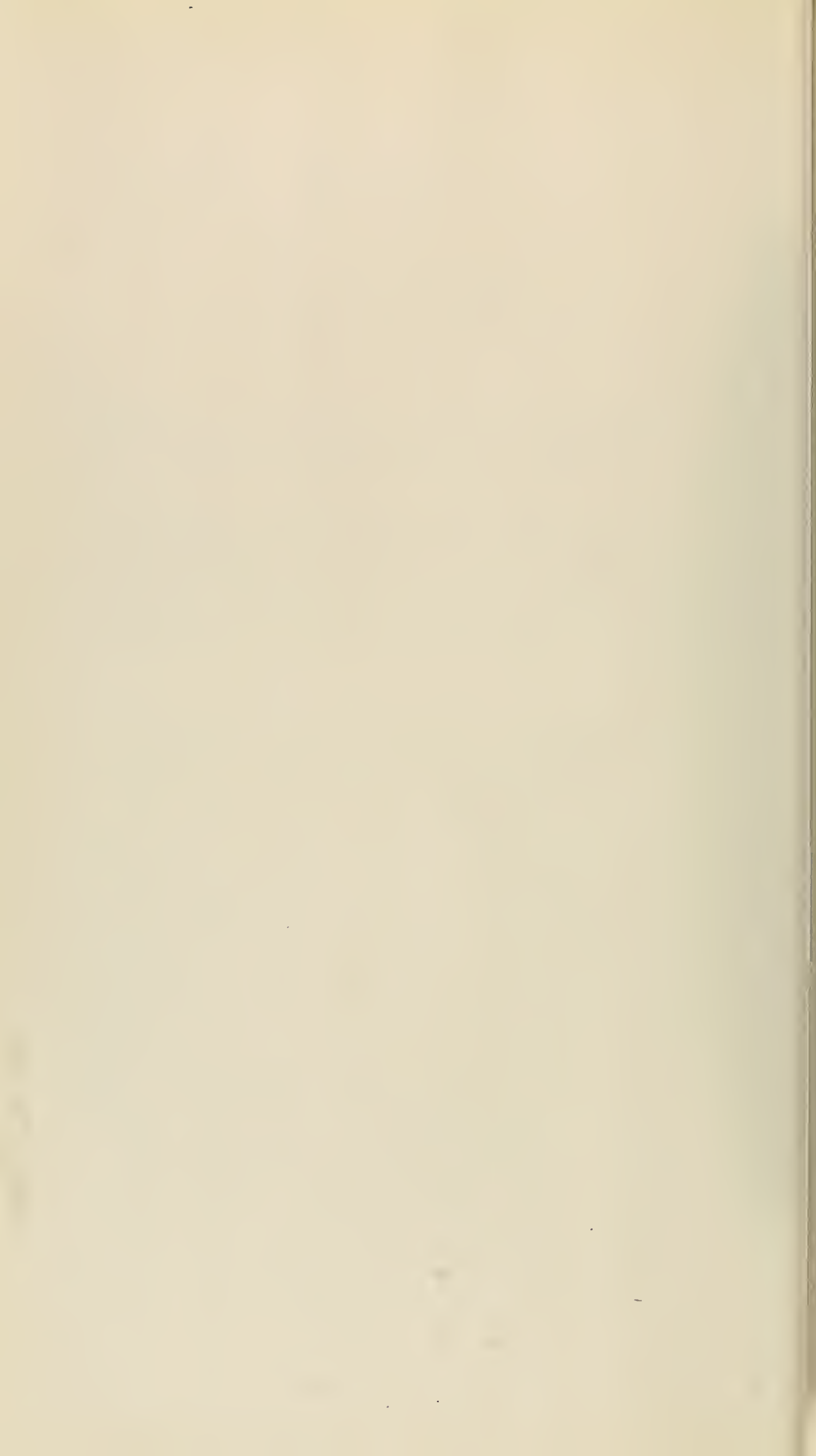
AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioners Hall, Murphy

REQUEST OF MIRANDA NELSON, MEMBER OF THE WHITE PANTHER PARTY, FOR A DEPARTMENTAL INVESTIGATION OF COMPLAINTS AGAINST VARIOUS SAN FRANCISCO POLICE OFFICERS.

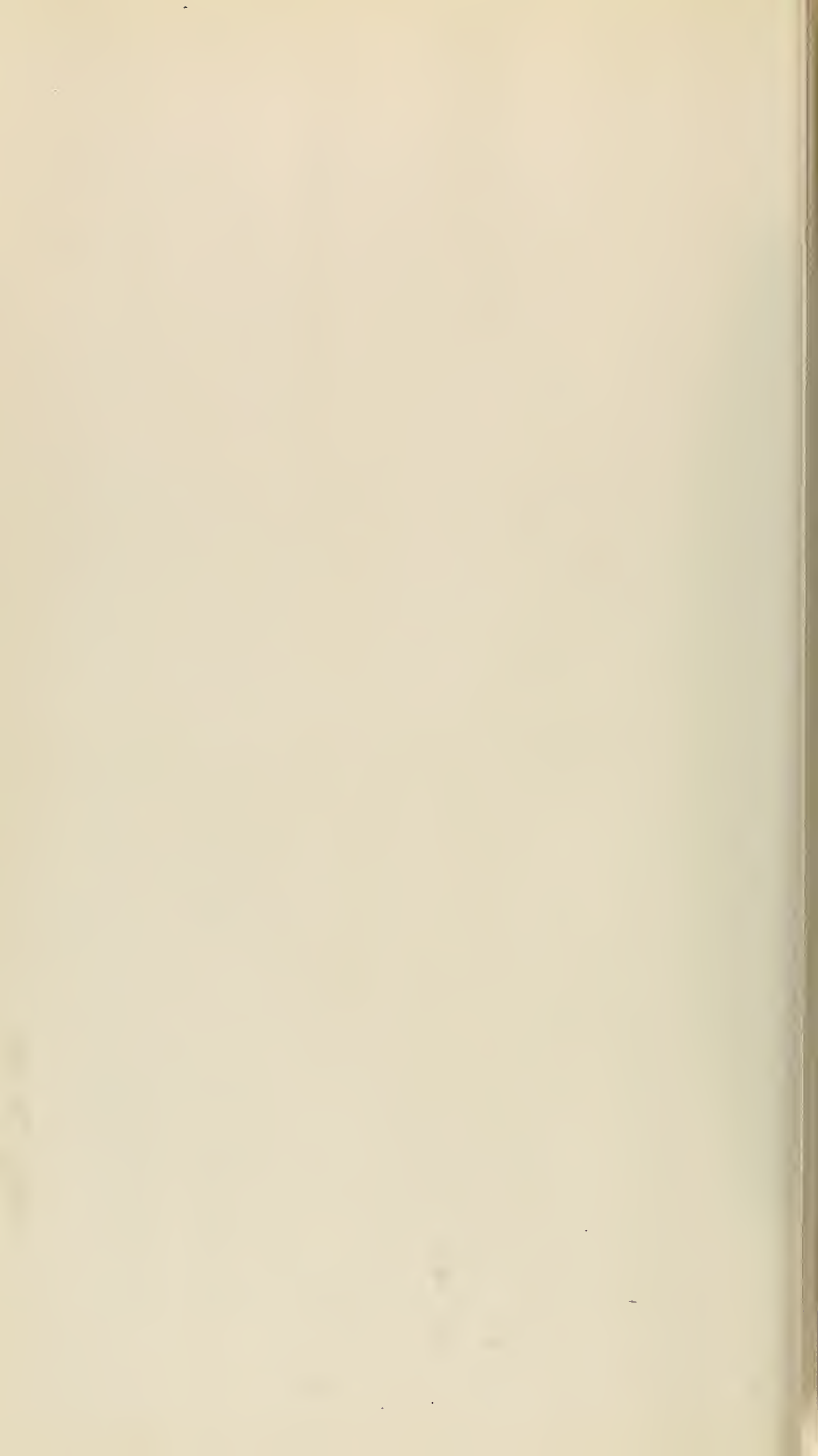
The Commissioners advised Ms. Nelson that because of the fact that she and Mr. Landberg had not met with the Chief and his staff in an attempt to narrow the issues, the matter should be put over until after that meeting had been held. After much discussion, Ms. Nelson and Mr. Landberg agreed to a meeting with the Chief and his staff and the matter was continued and will be heard at the next Police Commission Meeting on Wednesday, February 9, 1977.

Miss. Raquel Leon, Attorney for Monge family, stated that last night, in case the Police Commissioners were not aware, they called a meeting regarding the general conditions at Ingleside Station. She stated that three weeks ago she approached Chief Gain and asked him if he would come to this meeting. She stated that she went to Lieutenant Trueb of the Police Department's Legal Office and asked him if there would be any problem for the Chief to come to a Public Meeting and he stated that Chief Gain could not speak to the Monge Investigation because a claim had been filed against the City and County of San Francisco and a complaint had been lodged in the Internal Affairs Bureau. She further stated that the Chief did agree to attend the meeting last night and when he arrived the first thing he said was that he could not speak about anything at all. She stated that she tried to persuade him to stay because of the number of people in attendance. She said she told him that they understood and that they could not force him to speak to the issues. She said that some of the people there wanted to speak about other issues which were the subject of the jail conditions and felt they could not wait until an investigation was completed to have those conditions changed. She stated that most of the jails in the district stations had bars on top of the cells as well as in the front. She stated that she knew the Commission could not stop suicides but they did not have to make it easier for them. She said they wanted to address themselves to this but Chief Gain walked out and did not bother to address the crowd or to show respect to the Monge Family which was there and that they as members of the community are demanding an apology for



that and also a reprimand from the Police Commission for the way a public official acts to the people. She said another thing that she became aware of this afternoon was that Inspector Juan Morales was handling the investigation of this case and contacted her client and told him that he had been sent there by her and that he was to answer any questions that he (Inspector Morales) might have. She stated that this was all on tape that she wanted to hear the tape and that this was a very unethical move on the part of Inspector Morales. She further stated that she wanted the Commission to address itself to this issue also and that she was ready to file a complaint in this regard. She then introduced Mr. Robert Duway, Member of the Mission Legal Defense who also spoke on the matter.

Chief Gain: "May I comment? First of all as to the circumstances attending the meeting. I was asked to attend the meeting and expressed a willingness to do so. However, I did not know as a matter of fact, whether a claim had been presented to the City in regard to that incident. It was not until shortly before I went to that meeting that I found out and still not knowing for certain from Lieutenant Trueb, that probably a claim had been filed. The fact of the matter was that although it had been stated to him a claim was filed, in his search none could be found in the Police Department nor in the City Attorney's Office. In talking to him by telephone at approximately 6:30 last night, he stated to me that that was still the case of none being found. He also stated that he had come to understand that there is about a three week delay in processing the claim so it could have been filed and not yet determined in fact that it existed. In reviewing the matter with him he stated definitely that the claim had been filed and that I should not, being a principal in the City and County, discuss any attendant circumstances or any issues whatever relating to the matter which would include of course discussion of security matters which may well be at issue and all the attendant circumstances surrounding the points with them. When I went to the meeting I walked approximately 10 feet into the doorway and that is when I saw Ms. Leon and the first thing I wanted to know to confirm in my own mind, for a fact, had a claim been filed, which would condition what I could speak about. I asked her have you in fact filed a claim and she said yes. It was only then known for certain that a claim was filed. So I assumed then that it was in process and not yet discovered. When she stated that, then I said I cannot discuss any of the attendant circumstances which included, and we exchanged conversation, conditions in the jail whether you need security; whatever, because that is all to the point and I knew of course, I was speaking with the attorney who had filed a claim. I stated that I was willing to stay and listen but I could not speak to the issues. She stated again that she had talked to Lieutenant Trueb and that the issues, it was my understanding, should be discussed. I stated to her, you are an attorney and therefore you should hopefully and do recognize, that I cannot be in a circumstance where we are talking about those conditions. We were not getting anywhere



in the conversation, I concluded that it would be non-productive and not to the benefit of the City and County because a claim had in fact been filed, to stay. Although I said I would stay and just listen, I felt at that point that an attorney should know the position I was in and I stated then that I was leaving, I did leave. I did not, as characterized, stalk out. I don't know what that means but I did leave. I did not know as a matter of fact that the Monge's family was there. Had I known that, then appropriate remarks to the family would have been made, and I do now apologize, one for not knowing that the family was there and obviously, I couldn't make an apology and I am sorry about that. I do, in fact, regret that what did transpire, transpired the way it did. But Ms. Leon, it was a situation as you know where communications between you and I just ceased to be productive because you did pursue a warning to discuss matters relating to the condition of that station to other matters pertinent to the claim which had been filed which is tantamount to a filing of a suit in court. And for that reason it was no longer tenable even to conduct a conversation because we had reached that point where no communication could take place. Now no disrespect whatever was meant to the citizens who were there. I had no knowledge of course as to what the composition would be. Others were close by and heard statements that we made. Now I stand ready and the Police Department does and we will, in fact, address any condition in that station that should be addressed. Investigations as we know, are underway. So to the point that we don't care, in fact is what I heard said, about conditions we do, but we are still in a situation where we cannot discuss those matters in the face of a claim which is tantamount to a suit. That is what occurred."

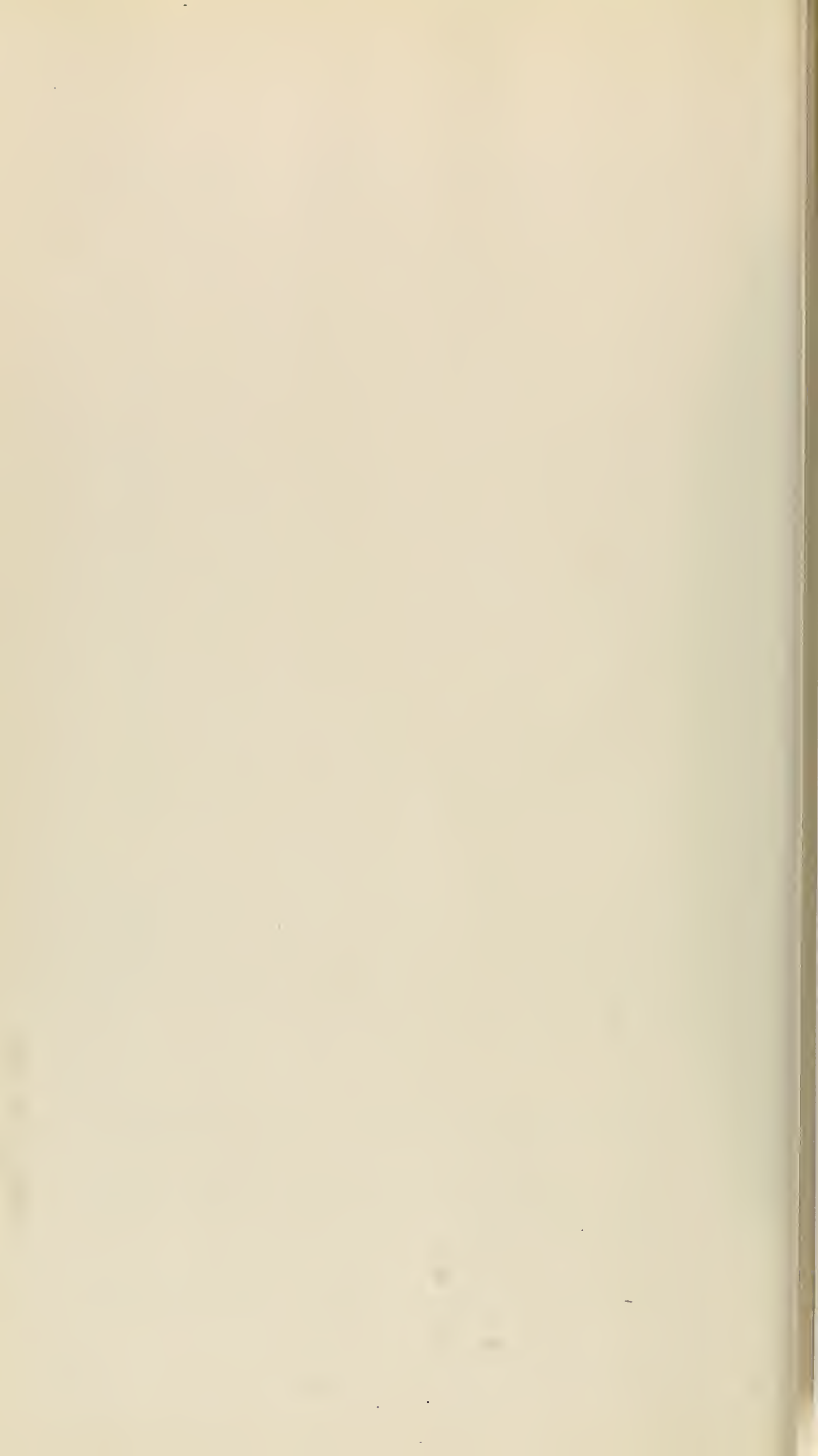
Further discussion was held on the matter and Mr. Duway asked if they (COMO) could be assured that there is now an investigation of conditions in city jails and if so there must be a determination as to when this investigation would be completed. Chief Gain stated that there is an Internal Affairs Investigation going on and that Investigation will be completed as soon as it reasonably can and upon completion the response would be to Ms. Leon.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1700 HOLLOWAY AVENUE - SAN FRANCISCO STATE UNIVERSITY

- a) At 1700 Holloway Avenue - install a 22' Blue zone, to extend west from west crosswalk.



1600 HOLLOWAY AVENUE - SAN FRANCISCO STATE UNIVERSITY

- a) At 1600 Holloway Avenue, install a 22' Blue zone, to extend from 6' - 28' west of west side of driveway - to Administration Building.

704 LAKE MERCED - SAN FRANCISCO STATE UNIVERSITY

- a) At 704 Lake Merced Boulevard, install a 22' Blue zone, to extend from 15' - 37' east of South State Drive - Verducci Hall.

3650 - 19th AVENUE - SAN FRANCISCO STATE UNIVERSITY

- a) At 3650 - 19th Avenue, install a 44' Blue zone, to extend north from Pole #353 - Humanities Building.

3550 - 19th AVENUE - SAN FRANCISCO STATE UNIVERSITY

- a) At 3550 - 19th Avenue, install a 22' Blue zone, to extend from 20' - 42' south of the north property line - Biological Science Building.

719 - 731 TURK STREET - RHOES & SCHALLER

- a) At 719-731 Turk Street, revoke existing 21' yellow zone.

564 PACIFIC AVENUE - DON ERHMANN ASSOCIATION

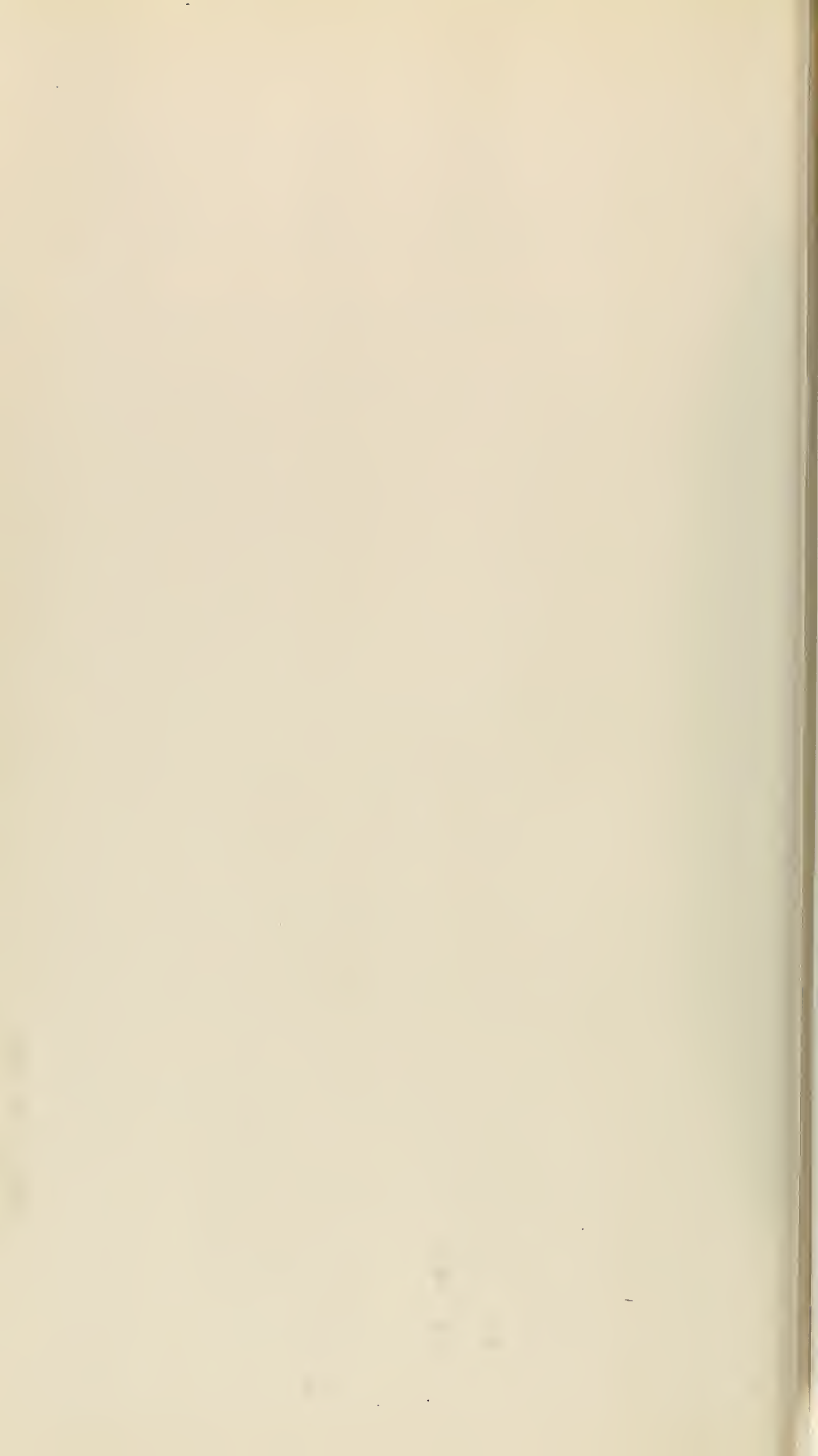
- a) At 564 Pacific Avenue, install a 54' Special Truck Loading Zone, to extend from 3' west to 51' east of the west property line - in effect 9 A.M., - 3 P.M.

3550 - 19th AVENUE - SAN FRANCISCO STATE UNIVERSITY

- a) At 3550 - 19th Avenue, install a 22' Blue zone, to extend from 125' - 147' south of the north property line - Biological Science Building.

3904 - 06 - 3rd STREET - ARVIN ELECTRIC

- a) At 3904-06 - 3rd Street - revoke 39' from 6' - 45' south of Fairfax Street.



2169 MISSION STREET - FURNITURE DISCOUNT

- a) At 2169 Mission Street - revoke 42' yellow zone from 6' - 48' North of South Building line.

2101 MISSION STREET - REDLICK NEWMAN FURNITURE

- a) At 2101 Mission Street - revoke 22' white zone from 30' - 52' South of 17th Street.

2409 WEBSTER STREET - YOSHIDA RESTAURANT

- a) At 2409 Webster Street, - install a 50' white zone, to extend south of north property line (50' white zone is requested because 2 car spaces --44'-- would leave an excess of 6', which is not enough space for a vehicle.)

1799 WEBSTER STREET - TODAY'S MARKET

- a) At 1799 Webster Street, install a 22' green zone, to extend from 8' - 30' south of north property line.

1321 - SEVENTH AVENUE - SULLIVAN'S SHOE REPAIR

- a) At 1321 - 7th Avenue, install a 22' green zone, to extend from 1' - 23' north of south building line.

414 O'FARRELL STREET - LA SCALA RESTAURANT

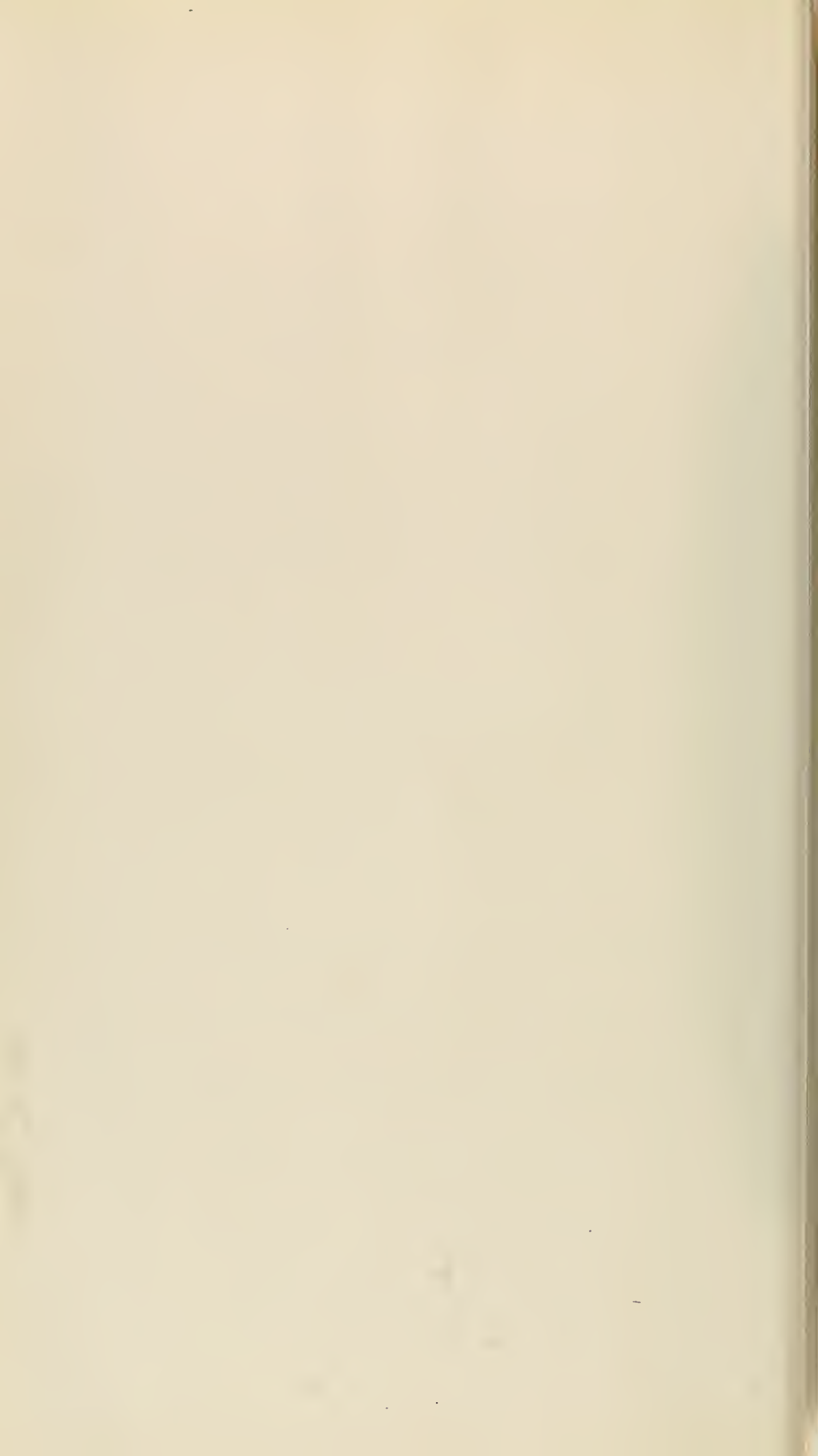
- a) At 414 O'Farrell Street - install a 36' white zone, to extend east from west property line.

2323 POWELL STREET - MONTEFUSCO'S RESTAURANT

- a) At 2323 Powell Street -install a 44' white zone, to extend from 44' - 88' north of south property line.

400 THIRD AVENUE - DAVID VARNER CHEVROLET

- a) At 400 Third Avenue, revoke existing 37' green zone, and install 37' yellow aone - to extend from 16' - 53' south



of Geary Boulevard.

1960 NORIEGA STREET - STATE FARM INSURANCE

- a) At 1960 Noriega Street - install a 22' green zone, to extend from 13' - 35' east of west property line.

2070 BRYANT STREET - HARRON, RICHARD & MCCONE CO.

- a) At 2070 Bryant Street - revoke existing 60' green zone.

AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

REVOKED

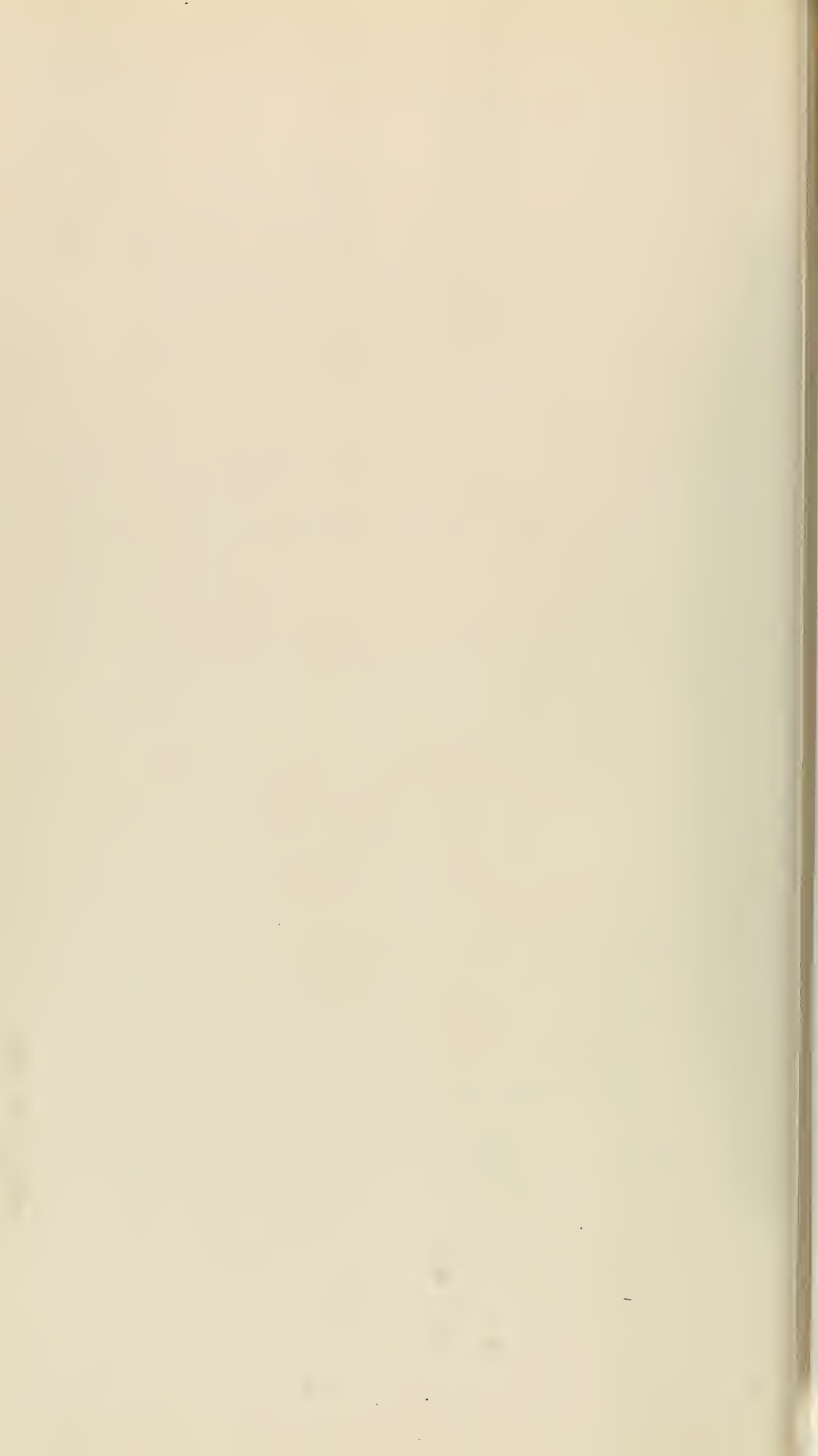
RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 221 feet of yellow, white and green zones at various parts of the City at the Locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE SUM OF \$57,388 TO ESTABLISH NINE (9) POSITIONS OF 9350 HARBOR POLICEMAN IN THE POLICE DEPARTMENT PURSUANT TO PEREMPTORY WRIT OF MANDATE 6950394, EFFECTIVE FEBRUARY 16, 1977.

Chief Gain called upon Captain J. William Conroy, Commanding Personnel and Training, to speak on the status of the Harbor Police. Captain Conroy related: "when the City of San Francisco took over the Port Authority the Harbor Police found themselves without a particular home at that time. They made application to become regular members of the Police Department which application was rejected by the City Attorney and by Civil Service. They then found themselves transferred to the Office of the Sheriff of the City and County and were integrated into that Department as Deputy Sheriff Jailers or Deputy Sheriff Bailiff's primarily as Jailers. They then went to Superior Court asking if they could be transferred



back to the jurisdiction of the Police Department and made the petition again that they be absorbed in the classification of Q2 police officer. The court summarily rejected their plea to become Q2 police officers but did issue a Pre-emptory Writ of Mandate by Charles S. Perry, A Superior Court Judge. He issued this mandate which states as follows: 'This court commands you the City and County of San Francisco, the Board of Supervisors of the City and County of San Francisco and the San Francisco Police Department to transfer the Harbor Policemen, or persons who held that position as of the date of the transfer, functions to the Police Department, at the appropriate rank and station but not as Q2 Policemen and to give them the benefit of service.' The Commission after briefly discussing the issue adopted the following resolution:

RESOLUTION NO. 46-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$57,388 from any legally available funds, and credit it to the following appropriations in the amounts indicated:

Appropriation No. 6.161.110.001.000	
Permanent Salaries-Civilian	\$44,523
Appropriation No. 6.161.863.000.000	
Mandatory Fringe Benefits	
Transfer to No. 6.699.865.001	\$ 1,096
Transfer to No. 6.123.860.000	\$11,769
	<u>\$57,388</u>

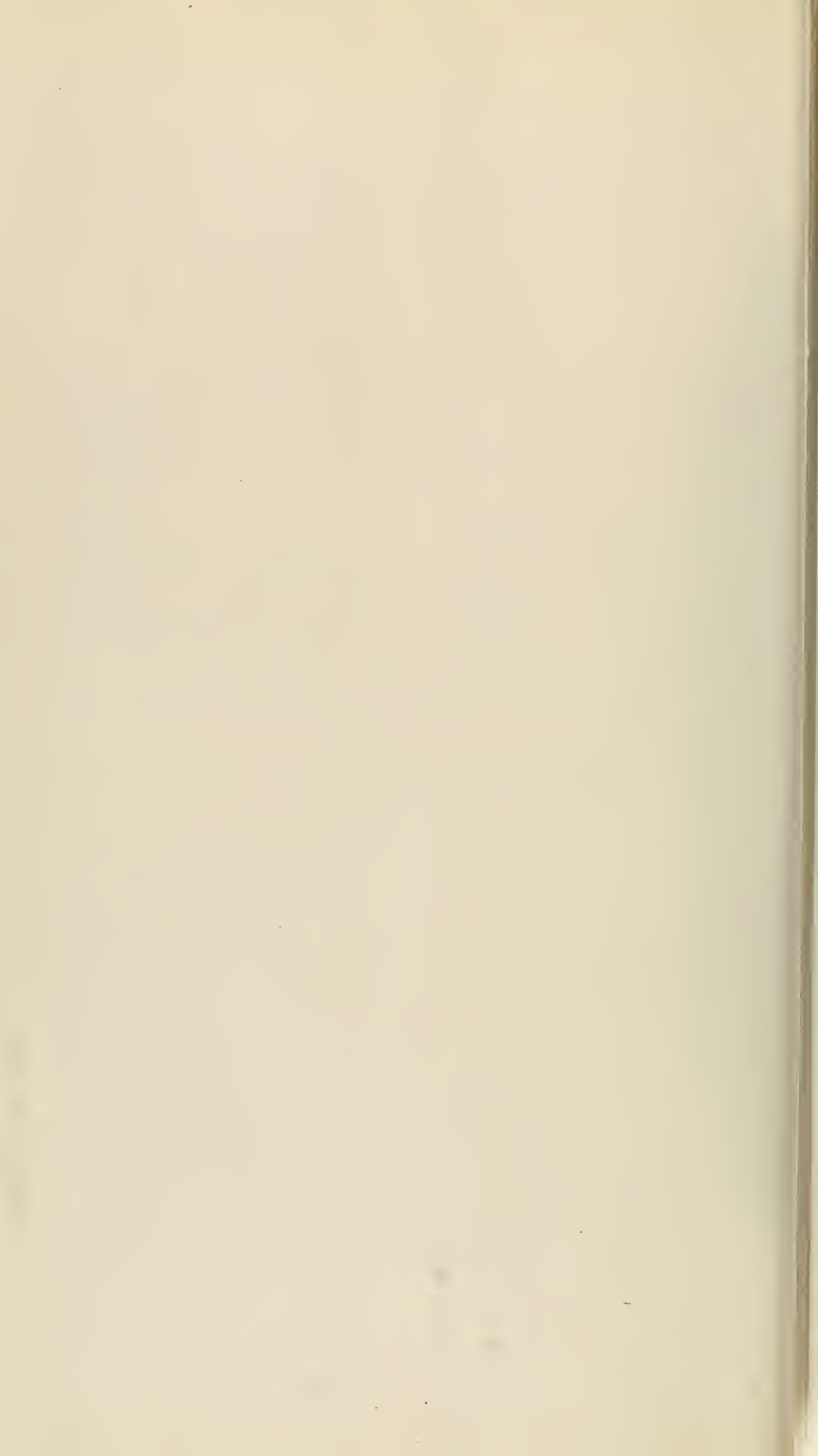
to establish nine (9) positions of 9350 Harbor Policeman in the Police Department pursuant to Preemptory Writ of Mandate 6950394, effective February 16, 1977.

AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

RESOLUTION NO. 47-77

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE SUM OF \$14,154 TO RECLASSIFY ONE (1) 1823 SENIOR ADMINISTRATIVE ANALYST TO ONE (1) 1272 SENIOR DEPARTMENTAL PERSONNEL OFFICER, AND TO RECLASSIFY ONE (1) 8302



POLICE MATRON TO ONE (1) 1426 SENIOR CLERK-TYPIST
EFFECTIVE MARCH 2, 1977.

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$14,154 from the following appropriation numbers in the amounts shown:

APPROPRIATION NO. 6.161.110.001.000
Permanent Salaries-Civilian \$11,389

APPROPRIATION NO. 6.161.863.000.000
Mandatory Fringe Benefits
Transfer to No. 6.123.862.000 \$ 666
Transfer to No. 6.697.860.000 \$ 2,099
\$14,154

and credit it to the following appropriations in the amounts indicated:

APPROPRIATION NO. 6.161.110.001.000
Permanent Salaries-Civilian \$10,667

APPROPRIATION NO. 6.161.199.000
Compensation Reserve \$ 797

APPROPRIATION NO. 6.161.863.000.000
Mandatory Fringe Benefits
Transfer to No. 6.123.862.000 \$ 624
Transfer to No. 6.697.860.000 \$ 2,066
\$14,154

to reclassify one 1823 Senior Administrative Analyst to one 1272 Senior Departmental Personnel Officer, and to reclassify one 8302 Police Matron to one 1426 Senior Clerk Typist, effective March 2, 1977.

AYES: Commissioners Ciani, Gallegos,
Siggins

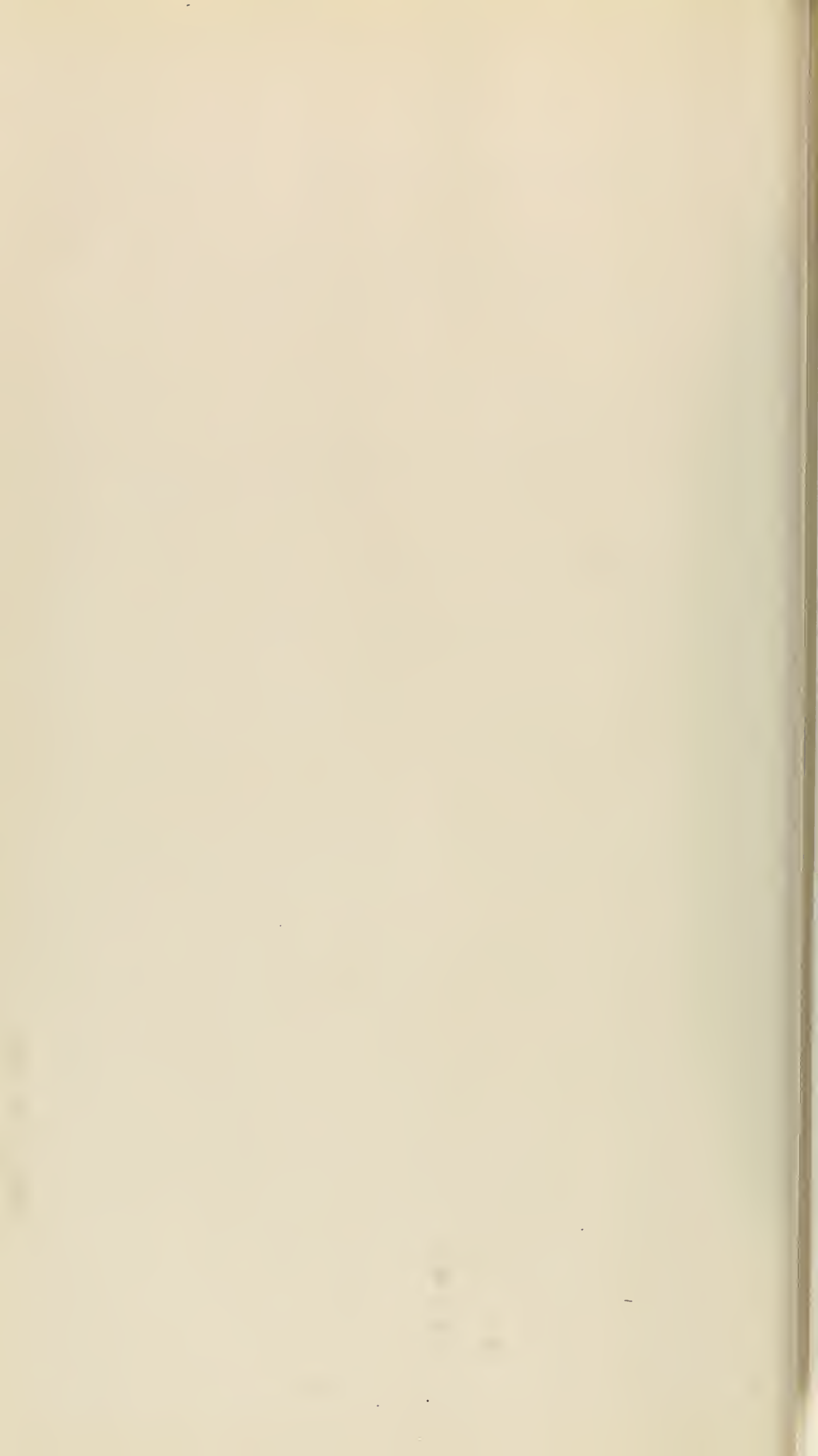
NOT VOTING: Commissioners Hall, Murphy

RESOLUTION NO. 48-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$413.00 from the following appropriation number in the amount shown:

APPROPRIATION NO. 6.161.120.001.000
Temporary Salaries-Civilian \$ 413.00



and credit it to the following appropriation in the amount indicated:

APPROPRIATION NO. 6.161.298.000
Local Cash Match C.E.T.A. \$413.00

to compensate five (5) building and groundsmen for night premium pay.

AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

RESOLUTION NO. 34-77

OPERATING BUDGET FOR FISCAL YEAR 1977-78- SAN FRANCISCO POLICE DEPARTMENT.

RESOLVED, that the Operating Budget of the San Francisco Police Department for the Fiscal Year 1977/78, as submitted by Chief of Police Charles R. Gain, in the following amount be, and the same is hereby approved:

BUDGET - \$83,440,458

AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

RESOLUTION NO. 49-77

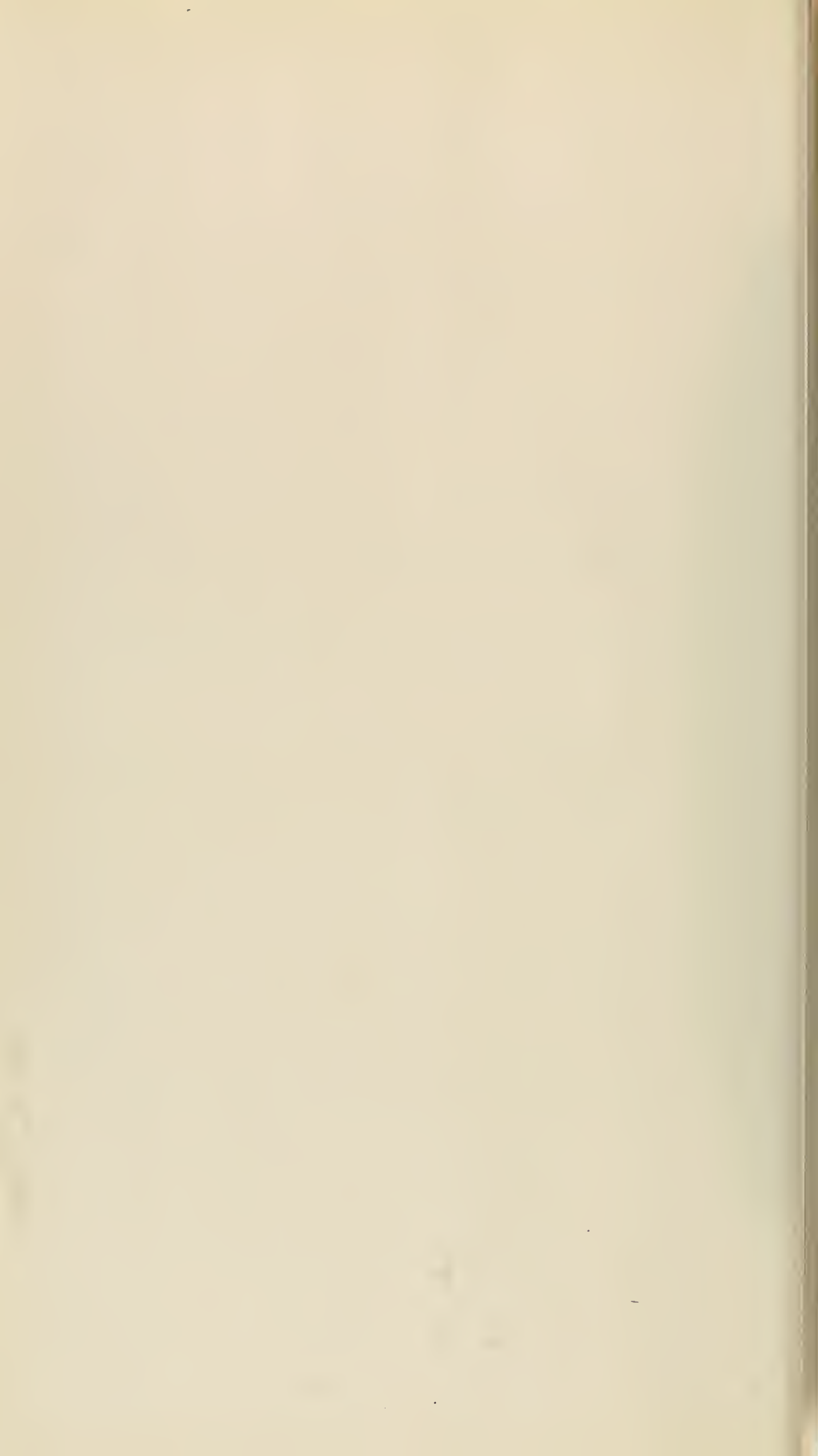
ASSISTANT INSPECTOR PATRICK A. WOLFE, BUREAU OF INSPECTORS

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Assistant Inspector Patrick A. Wolfe, Bureau of Inspectors, as follows:

SPECIFICATION NO. 1

Violation of Section 118 of the Penal Code of the State of California. (Violation of Rule 2.13 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police; therefore be it



RESOLVED, that the hearing before the Police Commission on charges filed against Assistant Inspector Patrick A. Wolfe, Bureau of Inspectors, be, and the same is hereby set for Wednesday, February 9, 1977 at 5:30 p.m., in Room 551. Hall of Justice.

AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

RESOLUTION NO. 35-77

J. D. ESTRADA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of J.D. Estrada against the City and County of San Francisco in the sum of \$20.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 26, 1976

AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

RESOLUTION NO. 36-77

MARY LOUISE FISHER

RESOLVED that the recommendation of the City Attorney for settlement of the claim of Mary Louise Fisher against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 6, 1976

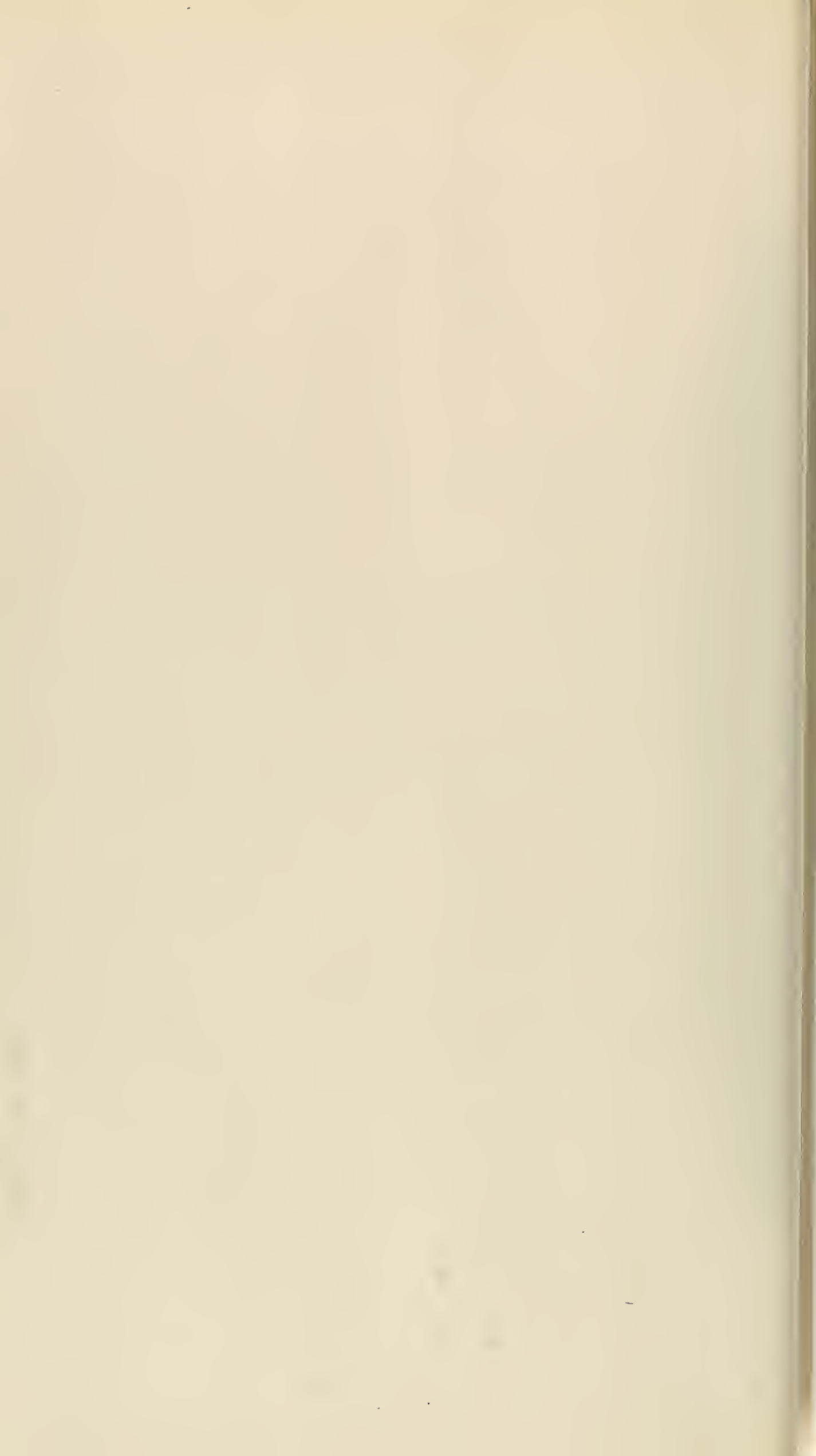
AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

RESOLUTION NO. 37-77

HERBERT FONG

RESOLVED, that the recommendation of the



City Attorney for the settlement of the claim of Herbert Fong against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 10, 1976

AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

RESOLUTION NO. 38-77

MARY GLEASON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Gleason against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 26, 1976

AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

RESOLUTION NO. 39-77

INGEBORG JUNGINGER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ingeborg Junginger against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 26, 1976

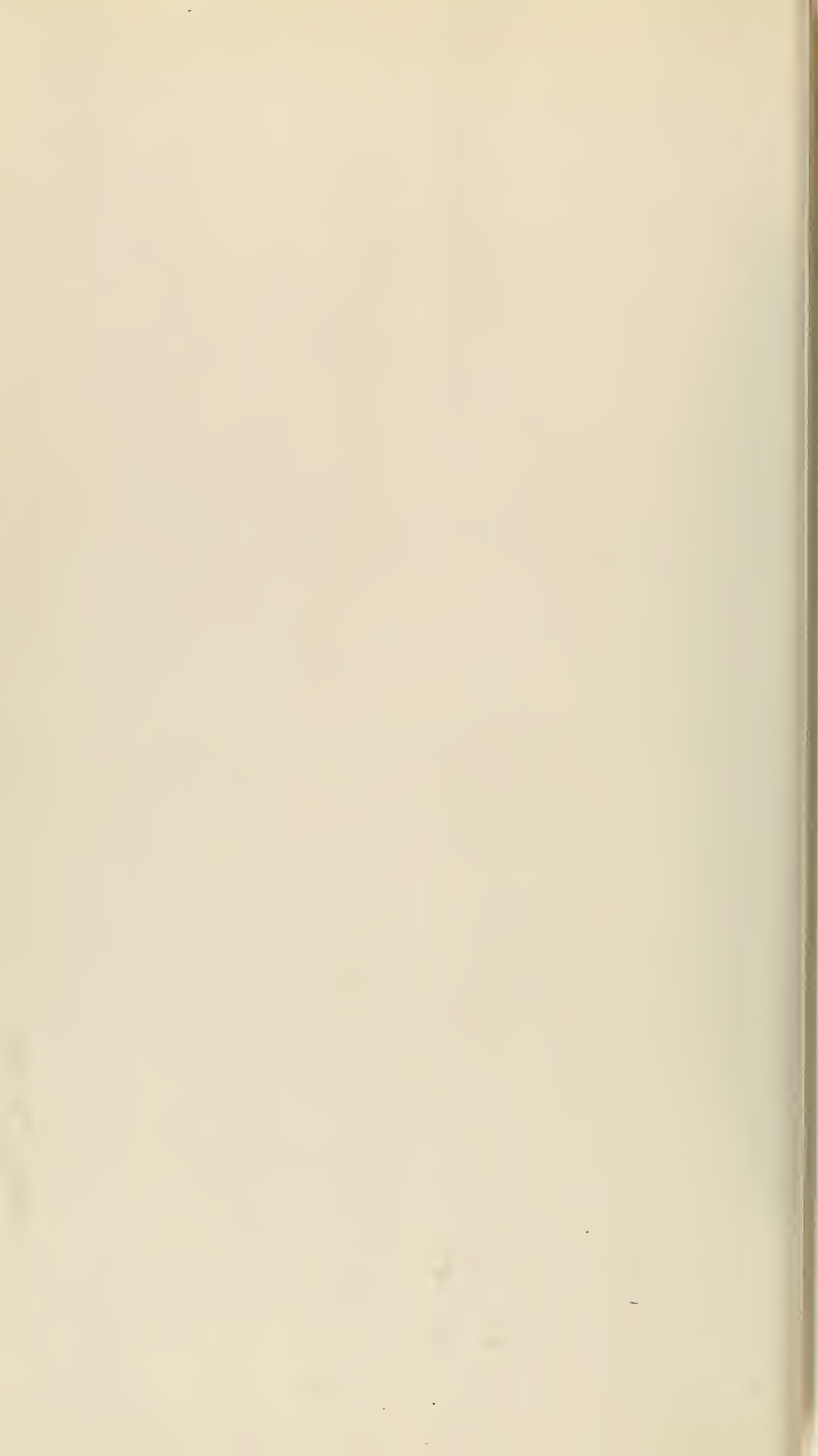
AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

RESOLUTION NO. 40-77

ROSEMARY LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rosemary



Lee against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 19, 1976

AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

RESOLUTION NO. 41-77

ELIZABETH REED

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elizabeth Reed against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 10, 1976

AYES: Commissioners Ciaini, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

RESOLUTION NO. 42-77

CALIFORNIA STATE AUTOMOBILE ASSOCIATION (RICHARD COLON)

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of California State Automobile Association for Robert Colon against the City and County of San Francisco in the sum of \$1,500.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 18, 1976

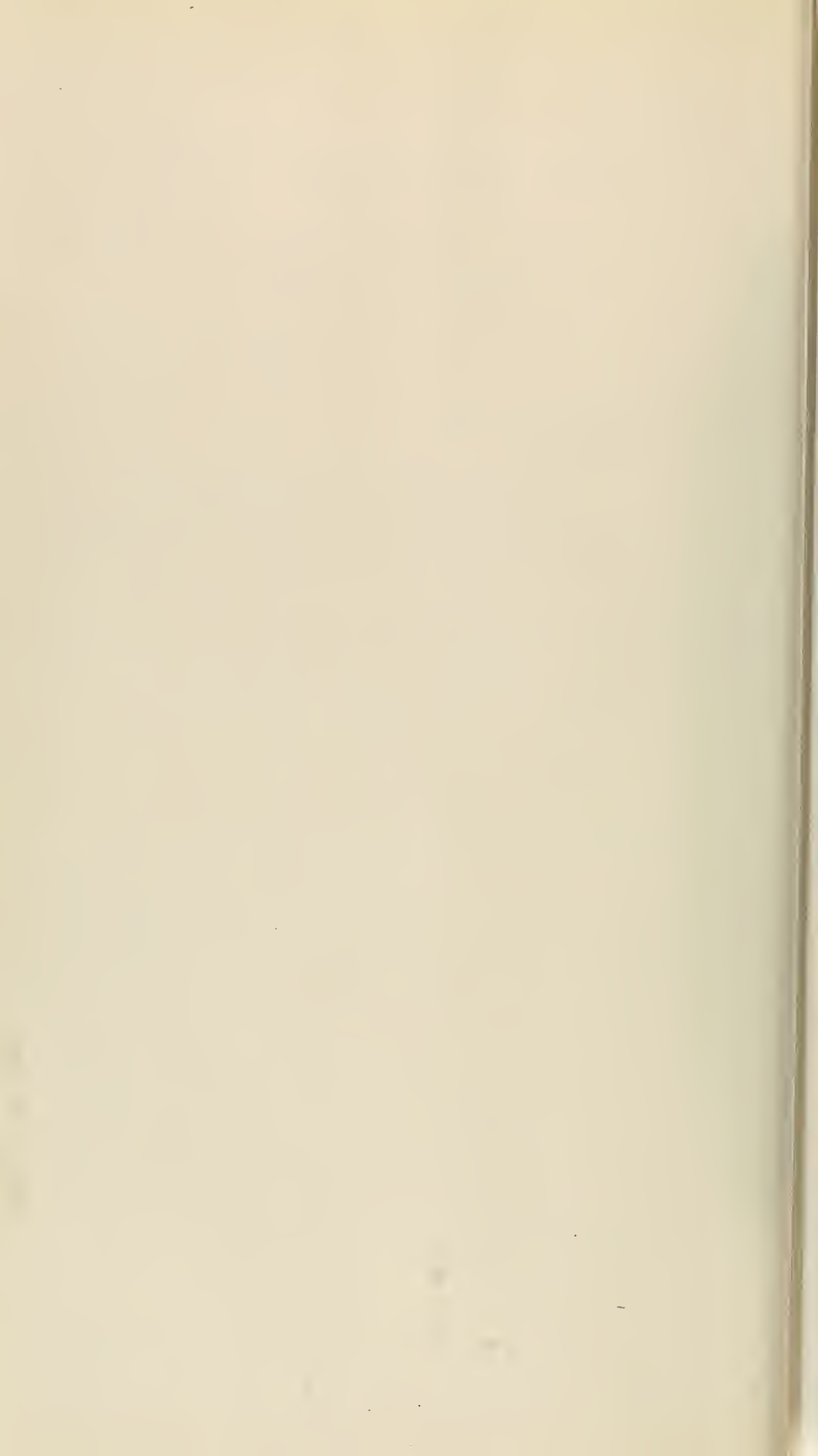
AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

RESOLUTION NO. 43-77

IZOLA VIETTA COUTHER AND HER ATTORNEY
JOHN GARDENAL

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Izola Vietta Couter in the sum of \$900.00 in Superior Court Action No. 680-120 entitled, "Izola Vietta Couter v. City and County of San Francisco, et al." as the re-



sult of damages sustained, be, and the same is hereby approved.

Date of Accident: April 7, 1974

AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

RESOLUTION NO. 44-77

GERALDINE FOSTER

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of Geraldine Foster against the City and County of San Francisco in the sum of \$1,330.42 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 3, 1976

AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

RESOLUTION NO. 45-77

LAURIE BING GEE AND HIS ATTORNEY
JUDD RILEY SCOTT

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Laurie Bing Gee in the sum of \$300.00 in Municipal Court Action No. 686-227 entitled, "Laurie Bing Gee v. City and County of San Francisco, et al," as the result of damages sustained, be, and the same is hereby approved.

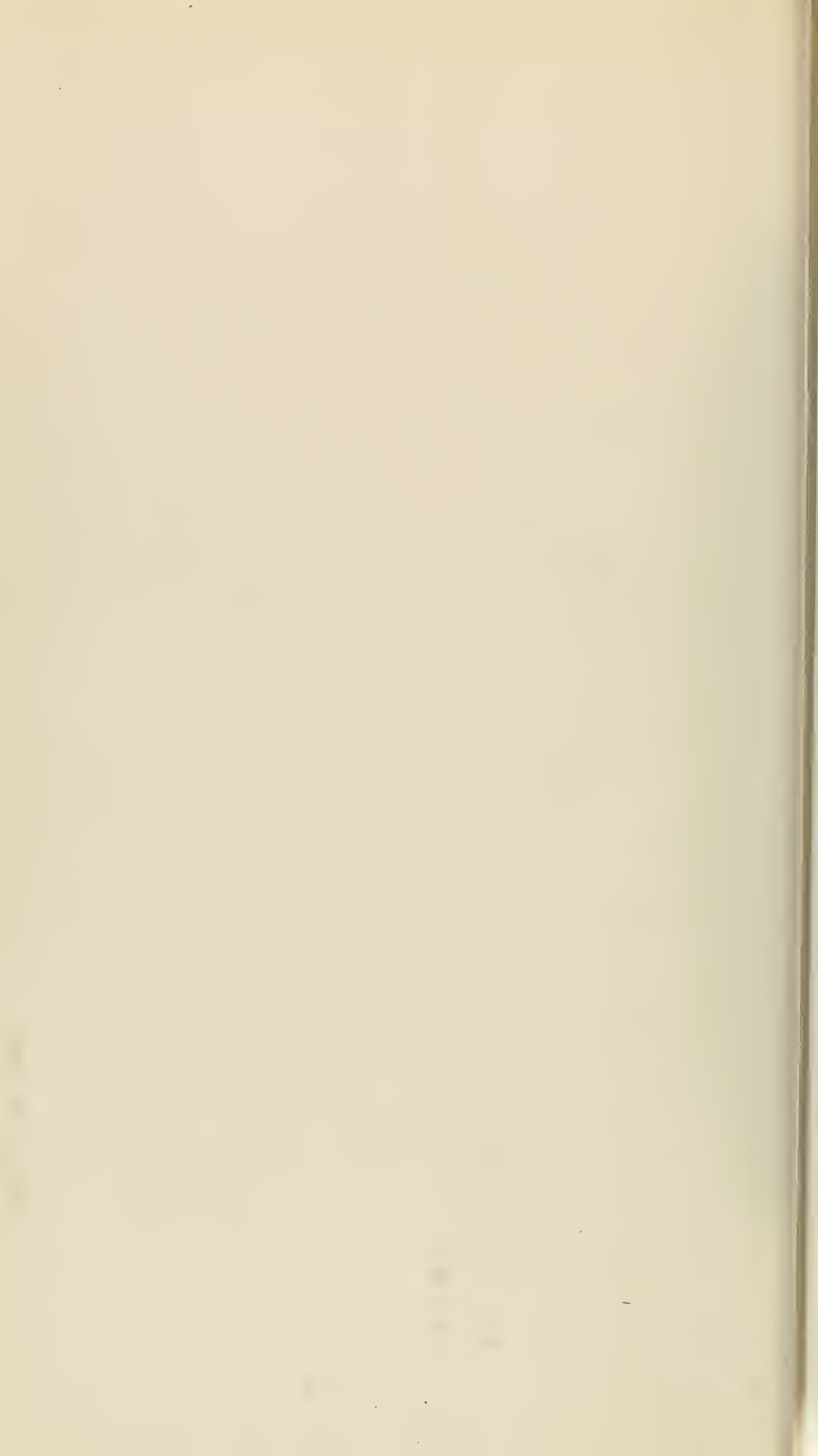
Date of Incident: March 19, 1972

AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to



sickness and disability for the week ending, January 25, 1977; at 2400 hours, as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	78	80
Daily average for the week disabled	<u>98</u>	<u>112</u>
TOTALS	176	192

This is a decrease of sixteen (16) members off duty daily from the previous week.

Daily percentage for the week sick	3.92
Daily percentage for the week disabled	<u>5.95</u>
TOTAL	9.87

Sick and Disabled for week ending, Saturday, January 24, 1976 at 2400 hours as follows:

Daily average for the week sick	56
Daily average for the week disabled	<u>93</u>
TOTAL	149
Daily percentage for the week sick	2.89
Daily percentage for the week disabled	<u>4.98</u>
TOTAL	7.87

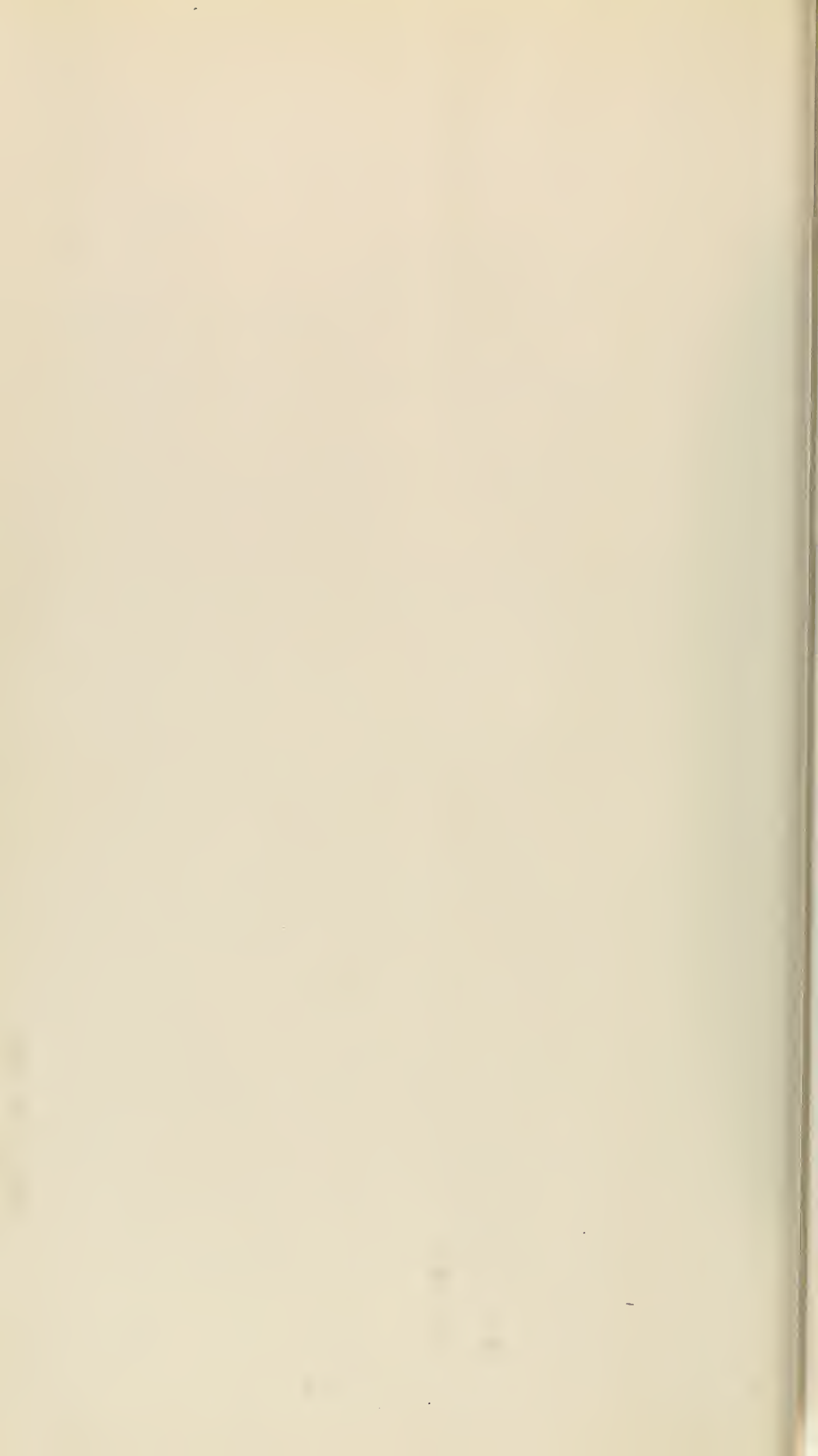
Sick and Disabled for week ending Tuesday, December 28, 1976 at 2400 hours as follows:

Daily average for the week sick	62
Daily average for the week disabled	<u>113</u>
TOTAL	175
Daily percentage for the week sick	3.15
Daily percentage for the week disabled	<u>6.79</u>
TOTAL	9.79

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos,
Siggins

NOT VOTING: Commissioners Hall, Murphy

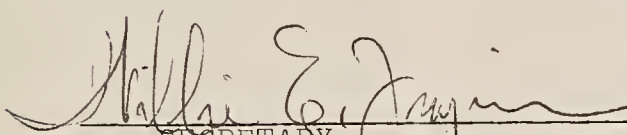


STATUS REPORT ON THE MATTER OF SERGEANTS AND ASSISTANT
INSPECTOR POSITIONS.

Chief Gain asked Lieutenant Richard Trueb to give a status report on this matter. The Lieutenant stated that the S.F.P.O.A., had filed an appeal on the one for one appointments from the Sergeant's list. The appeal was granted and stayed for a period of 10 days. He stated that if no further stays are granted the Police Department may begin its appointment procedure on February 10, 1977.

Commissioner Siggins asked Chief Gain about the POST Survey currently going on in the Department. Chief Gain stated that the Survey Team had been around the Department for about a month. He stated that Mr. Edward Toothman, Director, and his staff of about three, were doing most of the work. He stated that they spend two or three days here and then they go to Sacramento and compile reports on the particular surveys they have made. He further stated that the Department would be getting, periodically, completed reports when a particular survey is done.

The Commission then adjourned its meeting.



SECRETARY

MAR 29 1977

Minutes

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9 FEBRUARY 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 9, 1977 at 1730 hours, in regular session:

PRESENT: Commissioners Ciani, Gallegos, Hall, Siggins

ABSENT: Commissioner Murphy

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of February 2, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, I have one item to report tonight. We will commence a recruit school on the 14th of March with a total of 81 police officers on that date. We will be filling the 38 regular vacancies and 12 of that number will be female police officers and 24 police officers that will be in security, then 19 officers will be promoted to Assistant Inspector, which will give us 19 more vacancies in the patrol ranks thereby making it a total of 81. So we are in the process now of making notification to those persons on the eligible list that they will be hired commencing the 14th of March."

Commissioners Gallegos: "Could we have a report next week on the list before any final hiring so that we make sure that we deal with some of the problems we have had from previous testimony, for example, hiring people with linguistic skills because that has come up over and over again."

Captain Donald Taylor, Deputy Chief of Operations, stated: "The CETA employees that are furnished to us from City Hall are all interviewed and we do not select them from any type of a list. They are sent directly to us and there is no preferential language requirement given to the City Hall by the Police Department or any need for such. We haven't had a problem in that area. Many of them are minorities, however, I haven't got a breakdown by race of those that are sent to us."

Commissioner Gallegos: "Can we get that next week?"

Captain Taylor: "Yes."

Commissioner Ciani: "Has there been any progress on the attempt to find some solution to the Chinese language problem? I think when we last received a report, it was reported that we couldn't use exempt waivers, but is there a new....."

Chief Gain: "Sergeant DeFilipo is exploring that with the City Attorney's Office with the particular Deputy City Attorney that is dealing with the problem. He has been in trial so we haven't gotten any responses. That concludes my report."

ANNUAL REPORT TO THE POLICE COMMISSION ON SECONDARY EMPLOYMENT.

Chief Gain stated that it would probably take three weeks to bring this report up to date. He stated that he was having each party respond to a questionnaire sent out by the Department. He stated that he would have the report in about three weeks.

Commissioner Gallegos: "Are there possibilities of including in that survey some view about the attendance and the history of the officers who are involved in secondary employment whether they tend to be absent more or....."

Chief Gain: "That is a separate survey to be undertaken by the Personnel Bureau. We are conducting a study of sickness and part of that is related to what extent are those persons who are ill engaged in secondary employment is there a relationship. That's a second survey. We can calendar this about two weeks hence, we should have the survey results at that time."

REQUESTING APPROVAL OF THE POLICE COMMISSION OF THE SALE OF PATROL SPECIAL BEAT NO. 105, RICHMOND POLICE DISTRICT, BELONGING TO PATROL SPECIAL OFFICER CARL SCHADE TO ASSISTANT PATROL SPECIAL OFFICER WILLIAM BARNHART.

The parties involved in this matter were absent and the matter was continued.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 58-77

PATROL SPECIAL OFFICER RALPH GREBMEIER -REVOKED

RESOLVED, that the request of Patrol Special Officer Ralph Grebmeier, owner of Beats Nos. 83 and 96, Northern Police District, to make that portion of both beats which overlap into the Central Police District, into a new beat and give it the "No. 7", be, and the same is hereby approved; and be it further

RESOLVED, that the appointment of Ralph Grebmeier as Patrol Special Officer for Beat No. 7 which overlaps from Northern Police District into the Central Police District, be, and the same is hereby revoked, effective February 9, 1977, he having sold his beat to his wife, Patrol Special Officer Linnea Grebmeier.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 59-77

PATROL SPECIAL OFFICER LINNEA GREBMEIER -APPROVED

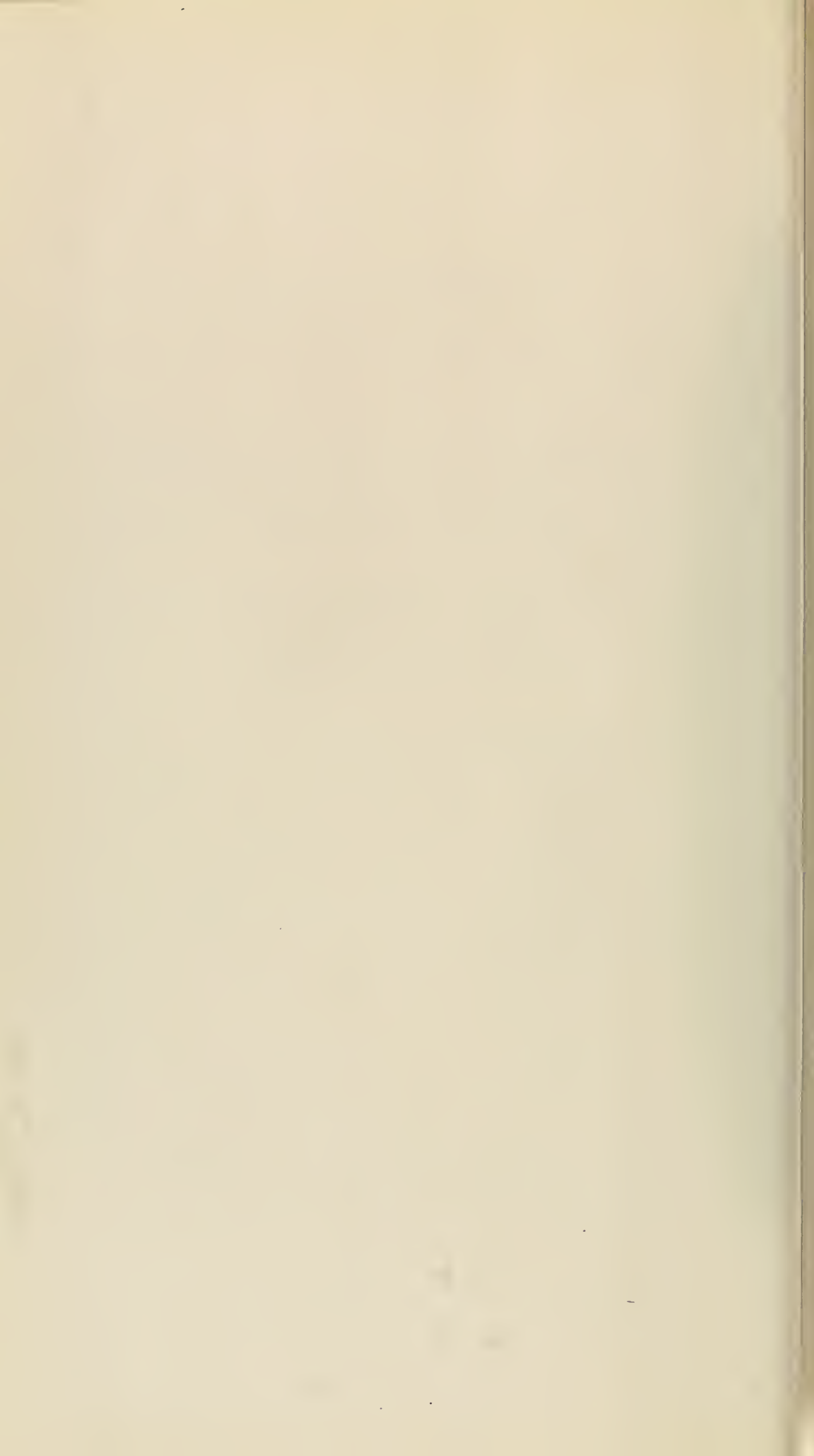
RESOLVED, that Linnea Grebmeier, be, and she is hereby appointed a Patrol Special Officer for Beat No. 7, which overlaps from Northern Police District into the Central Police District; said appointment effective February 9, 1977, she having purchased Beat No. 7, from her husband, Ralph Grebmeier.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

REQUEST OF MIRANDA NELSON, MEMBER OF THE WHITE PANTHER PARTY, FOR A DEPARTMENTAL INVESTIGATION OF COMPLAINING AGAINST VARIOUS SAN FRANCISCO POLICE OFFICERS.

Commissioner Siggins: "Ms. Nelson, if you are going to be representing yourself, we are not going to have.....you can have yourself or anybody else representing you and if you are



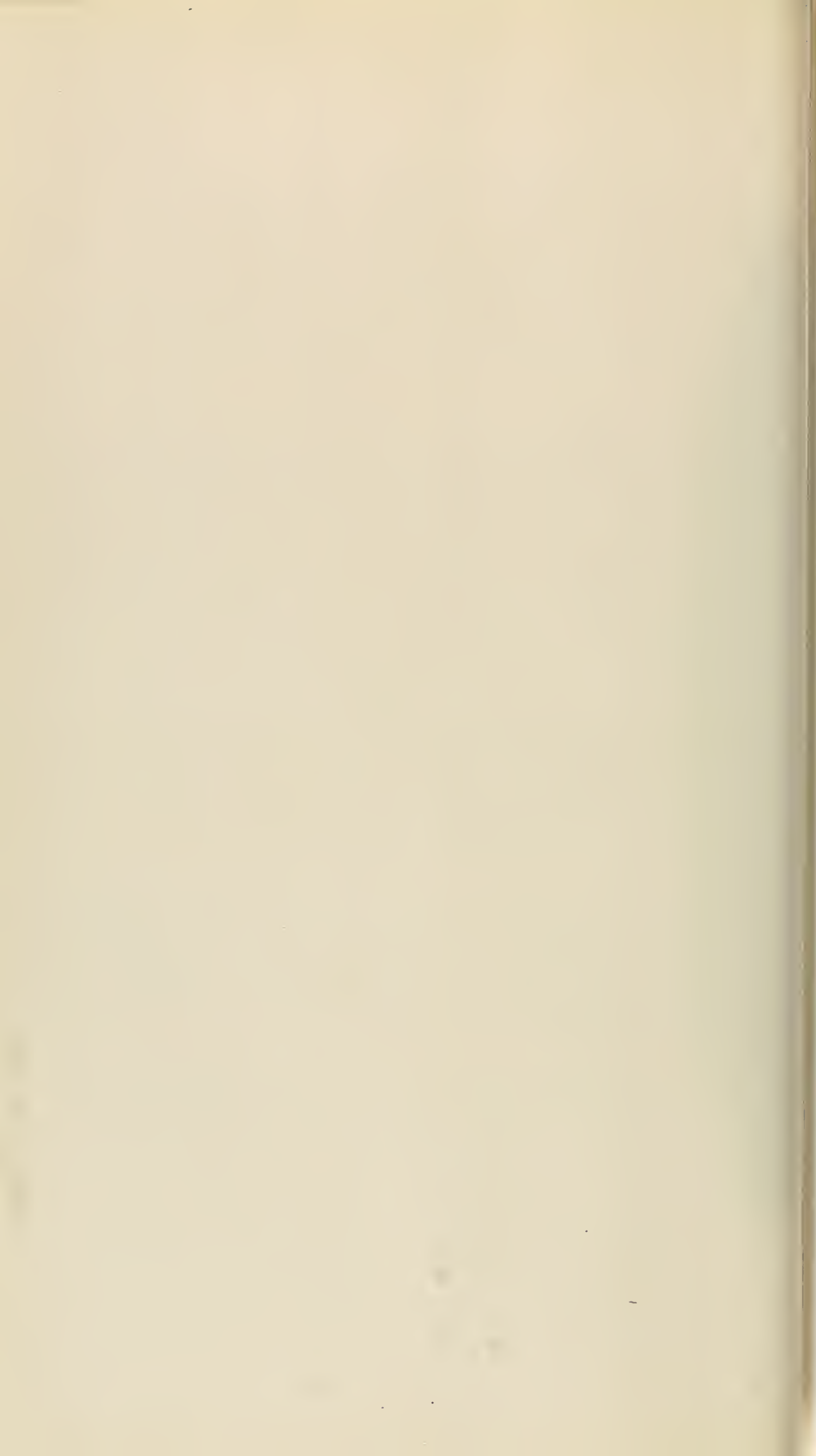
going to represent yourself we expect you to do the talking and we will have some order and decorum throughout this particular hearing. I refer first to the fact that the Human Rights Commission wrote us a letter with certain allegations from which their staff had prepared with some comments and we have copies of those. We have copies of the response from the Department dated January 26, 1977 and this Commission asked you (Miranda Nelson) to meet with the Chief and his staff to resolve some of the issues to shorten this particular meeting. Chief, did you meet with her?"

Chief Gain: "Yes, Mr. President, we met on Monday for approximately three hours for the purpose of discussing our response letter of January 12th and the response letter of January 26th with the objective that was discussed last Wednesday at the Commission Meeting, about narrowing the issues. And what occurred was regarding our response of January 12th, Miranda Nelson took exception to two paragraphs. We discussed those paragraphs in that letter and in regard to our response letter of January 26th there were three items discussed. As a result of our discussions it was necessary for Staff to obtain further information in regard to some of these items which we did and which we are prepared to report on tonight and it is my feeling that with our responses that we give tonight, that all of our responses to their allegations in both documents, the January 26th and January 12th incidents are adequate and in regards to those matters I feel they should be closed if the Police Commission is so inclined. With your permission I will have Lieutenant Trueb, who is at the meeting, relate our responses to the issues."

Lieutenant Trueb then went over the allegations and the department's answers to those allegations that were enumerated in the documents. His presentation was the results of having gone through and narrowing those issues in a meeting on Monday, February 7, 1977, with Ms. Nelson and Mr. Landberg for final disposition at today's meeting.

Commissioner Siggins thanked Lieutenant Trueb for his presentation and then asked if the Commissioners had any questions? There being none, he then asked Ms. Nelson if she wanted to respond to the presentation made by Lieutenant Trueb?

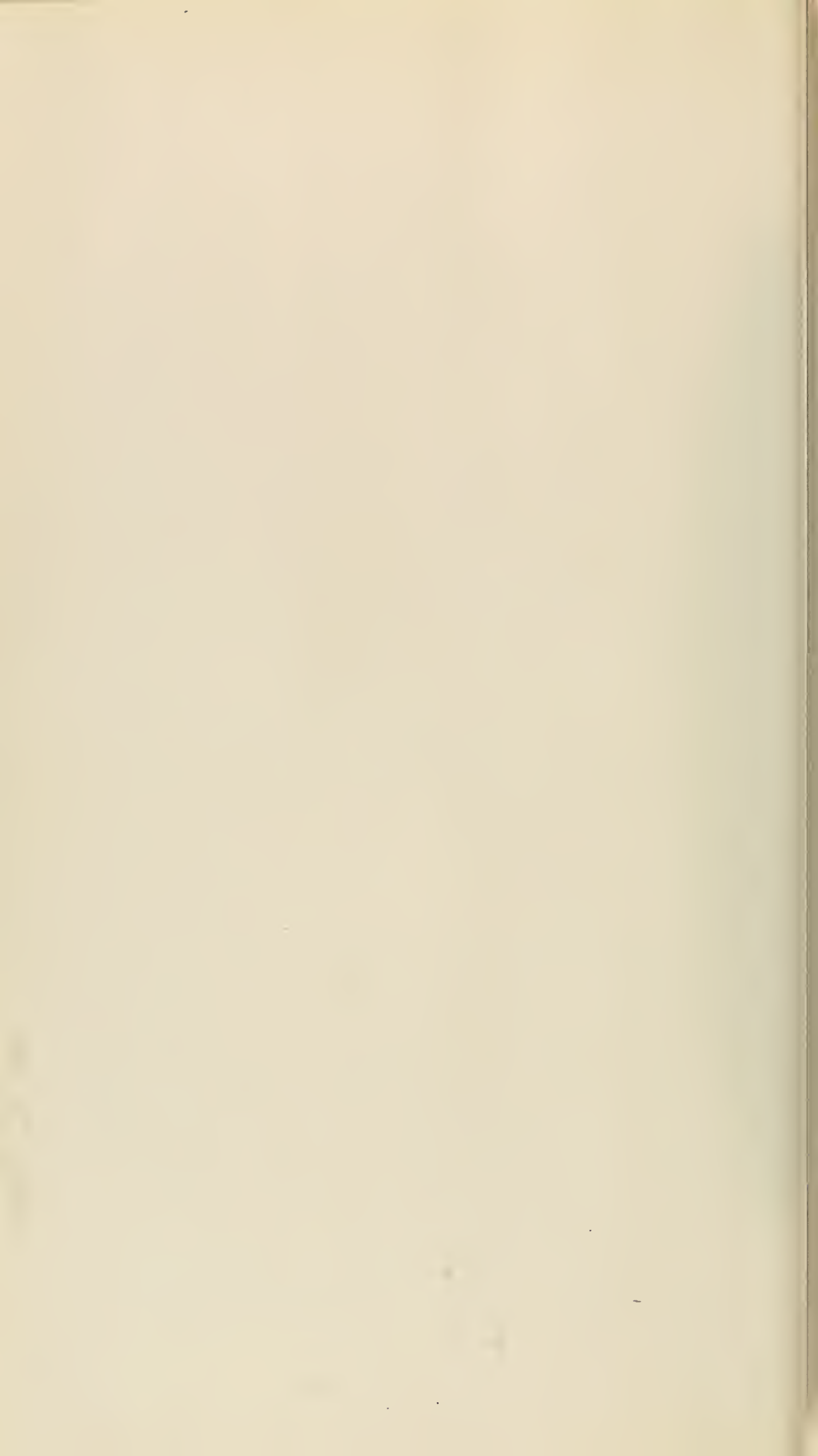
Ms. Nelson stated that she would like to focus on what she considered was the most serious issue undertaken at the meeting and that it was something that had never been mentioned before. She stated that it had to do with testimony taken from Officers DeFilippo and Harrington. She then read to the Commission a letter containing the following: "On July 11, 1974, Officers Theilen and Boyd, after Miranda Nelson was released, located the Juvenile informants who again



related to them the incident they witnessed on July 11, 1974, and that further the Juveniles had observed Sergeant Dunnigan and Officers Theilen and Boyd take Miranda Nelson to 1632 Page Street. They identified Miranda Nelson as the person they saw leaving the service entrance of 526-A Ashbury and carrying the Stereo Equipment. With this positive identification of Miranda Nelson as the suspect in this burglary, Officers DeFilippo and Harrington certainly had probable cause to make an arrest. Yet both Officers testified at the trial that they had no information other than the July 11th, police report. Now Officer DeFilippo is saying that the first arresting officers gave them further information. Certainly that deserves a reprimand and whatever else you do but there should be an official reprimand. But this is just an indication of what lies beneath the surface of this issue. It is highly doubtful that the Police Commission will ever get to the bottom of this since it has no investigative staff of its own and must rely on the Police Department to investigate. So the Commission has no objective source of information. The best way for the Police Commission to be of help would be to cooperate with an independent investigation. The Police Department has proven that they are biased. They refused to talk to Tom Stevens, the person with the most knowledge about the incident. The Police Department took over the investigation of the fire and it has not been investigated. And now a serious police lie has come to light and even tonight we are being subjected to more and more of these stories. For the community you are serving to maintain any degree of respect for you, first there should be a reprimand and then you should decide tonight what your goal in this investigation will be."

Commissioner Siggins then called upon Lieutenant Trueb to respond.

Lieutenant Trueb: "The paragraph to which she has quoted is the paragraph to which I initially referred that they took issue. I believe I included in my response that both officers Harrington and DeFilippo testified based on a review of the trial transcript that they had acted on the arrest or their attempt to arrest Miranda Nelson, it must be pointed out that the arrest for the burglary never did go down at that time, that is when the incident all started. On July 12th the incident culminated in the response of other police units to the premises, the fire, the escape and subsequent arrest of Mr. Olsen and I think of Mr. Landberg fleeing the premises and we've reviewed the trial testimony and both officers did state that in fact they relied on the report. Now I think that it should be pointed out that it is a well-known trial tactic to develop various strategy. It was reported earlier to this Commission that the District Attorney's Office for reasons which they are far more qualified to determine decided not to prosecute the burglary and one of the facts that made that determination, a



fact was because they felt the burglary was a far lesser included offense in a case wherein an assault with a firearm which resulted in a police officer almost being struck in the head by a bullet, three of which were subsequently determined to have been discharged, should not cloud an issue of an assault case and so the District Attorney elected not to prosecute the burglary."

Ms. Nelson then stated that the Lieutenant was not touching upon the fact that Officer DeFilippo told Sergeant Roche that despite what they had testified to previously, that he had spoken to the other officers. She then requested to have Mr. Ron Landberg read from the transcript of the trial in this matter. After Mr. Landberg finished reading excerpts from the transcript, Commissioner Siggins read the following:

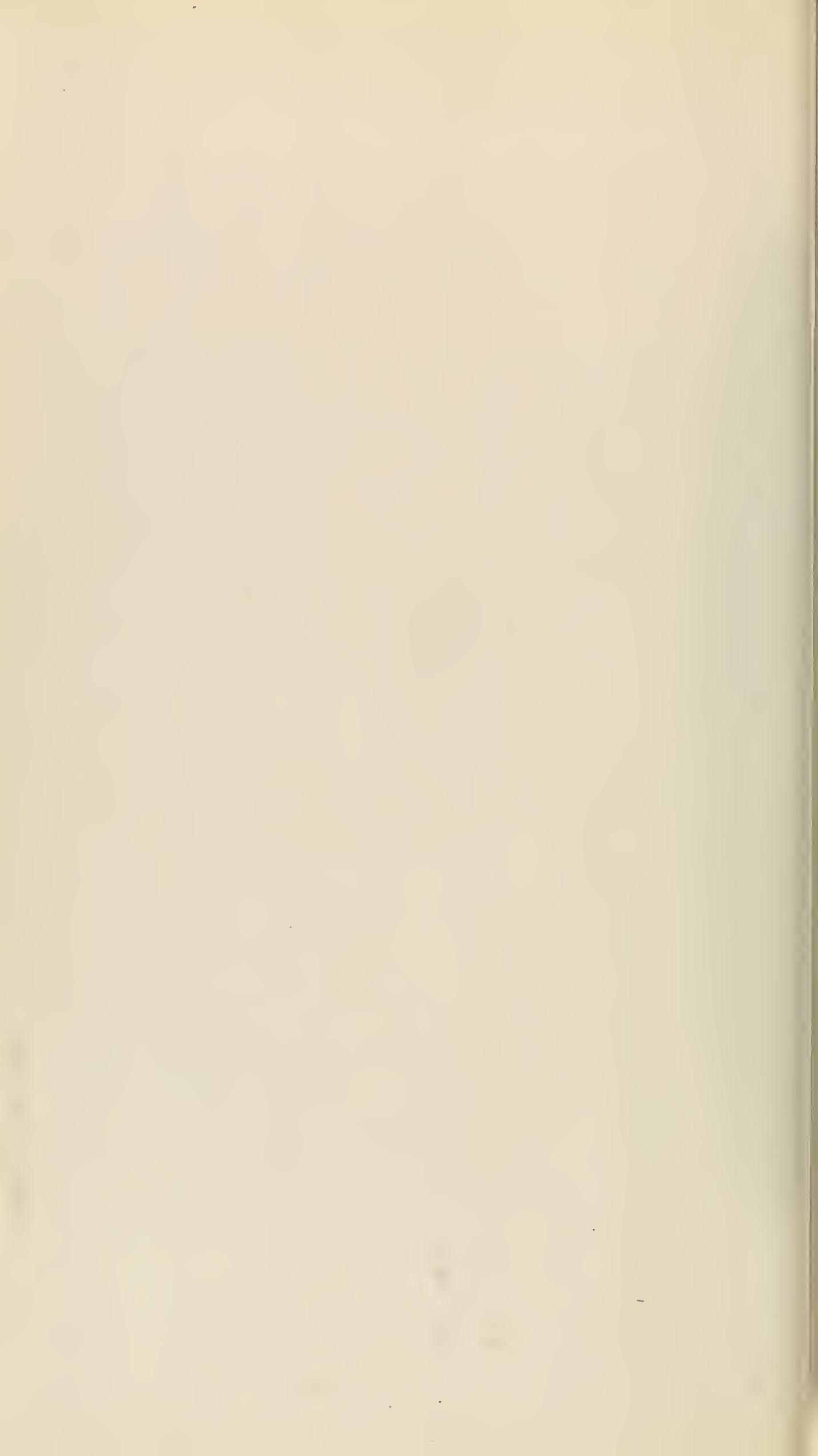
"On July 11, 1974 Melinda Nelson was taken to Park Police Station for investigation of a burglary from a residence on the 500 **block** of Ashbury Street. She had fitted the description that the police then had of the suspect and was living at the address where the police had been informed the suspect had entered. She was released from detention in accordance with proper procedures as set out in the California Penal Code.

After this release from detention the police officers received a more positive identification of Miranda Nelson as the burglary suspect - as a person who had been seen carrying stereo equipment from the burglarized residence.

On July 12, 1974 Officers DeFelippo & Harrington went to 1632 Page Street to arrest Miranda Nelson for burglary. While on the premises the officers were shot at.

These are the simple facts that are before the Police Commission. All other matters involved either have been or still are before the courts.

On September 26, 1976 M N filed complaints against three officers in this department.



1. Sgt. Dunnigan for false arrest on 7-11-74.
2. Officers DeFellipo and Harrington for false arrest on July 12, 1974.

I have reviewed all of the material submitted to me. Much of the material first submitted contained allegations and conclusions that related to incidents, arrests and claims of intimidation & harassment, and conspiracy that went beyond the subject of the detention of Miranda Nelson as a suspect in the Ashbury Street burglary.

The department, through its Chief, requested Miranda Nelson and the White Panther Party to frame specific charges and questions. With the help of the staff of the Human Rights Commission a list of questions and allegations were prepared. In November 1976 questions and allegations were sent to the Department by the Director of the Human Rights Commission. The Department has responded to these allegations in its letter to us of January 26, 1976, subsequent meetings with the White Panther Party between the Chief and Staff then finally report here tonight.

The information provided by Miranda Nelson and forwarded to us by the HRC, in my opinion, standing alone and giving full credence to it, I find no cause to sustain the allegations of false arrest against Sgt. Dunnigan or Officers DeFelippo and Harrington. There is no doubt in my mind that these officers had sufficient cause to take the actions that they did. Probable cause did exist for the arrest of Miranda Nelson. They performed their duty as they saw fit. As a Commissioner I would expect nothing less. I ask you to join with me in closing this file with an exoneration.



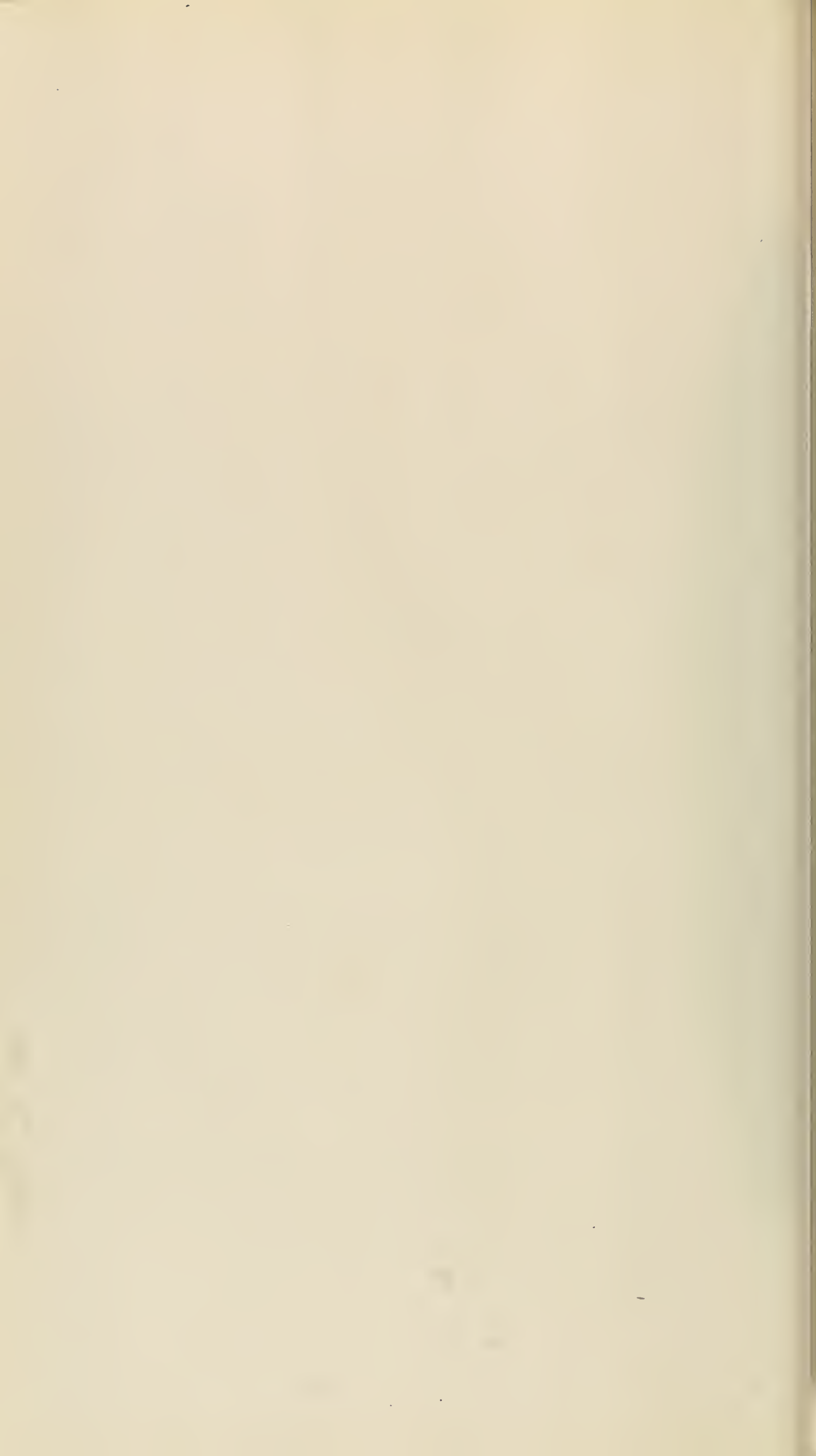
Two other persons who fired shots at or in the vicinity of Officers DeFellipo and Harrington admitted they did have been convicted. The White Panther Party should understand that matter is in the courts after a conviction. They stand convicted beyond a reasonable doubt after a jury trial of assault.

Through their attorneys Miranda Nelson and others pursued a lawsuit in the United States District Court. Included in these allegations of the 16 page complaint that I have read were charges of unlawful arrest and arrest without probable cause. She had every right to pursue this remedy. Said action became a part of the calendar of Judge Oliver Carter, Judge Carter ordered a Dismissal of This Action on April 15, 1976.

Our laws have many statutes enacted as a matter of public policy to promote justice by preventing the assertion of stale claims. Evidence becomes lost, memories fade, witnesses disappear. Even just and well-founded claims must be pursued diligently. These officers are still being charged with the stale claim of false arrest before this Commission when a Federal Judge dismissed the charges almost a year ago.

I ask you to entertain a motion of exoneration of those officers on the charges of false arrest that were filed by Miranda Nelson last September."

Ms. Nelson then stated that she wanted to add something at this point: "On November 4th, 1976, the District Court of Appeals in San Francisco ruled that the prosecution never proved that the police had probable cause for my arrest. And the convictions of Tom



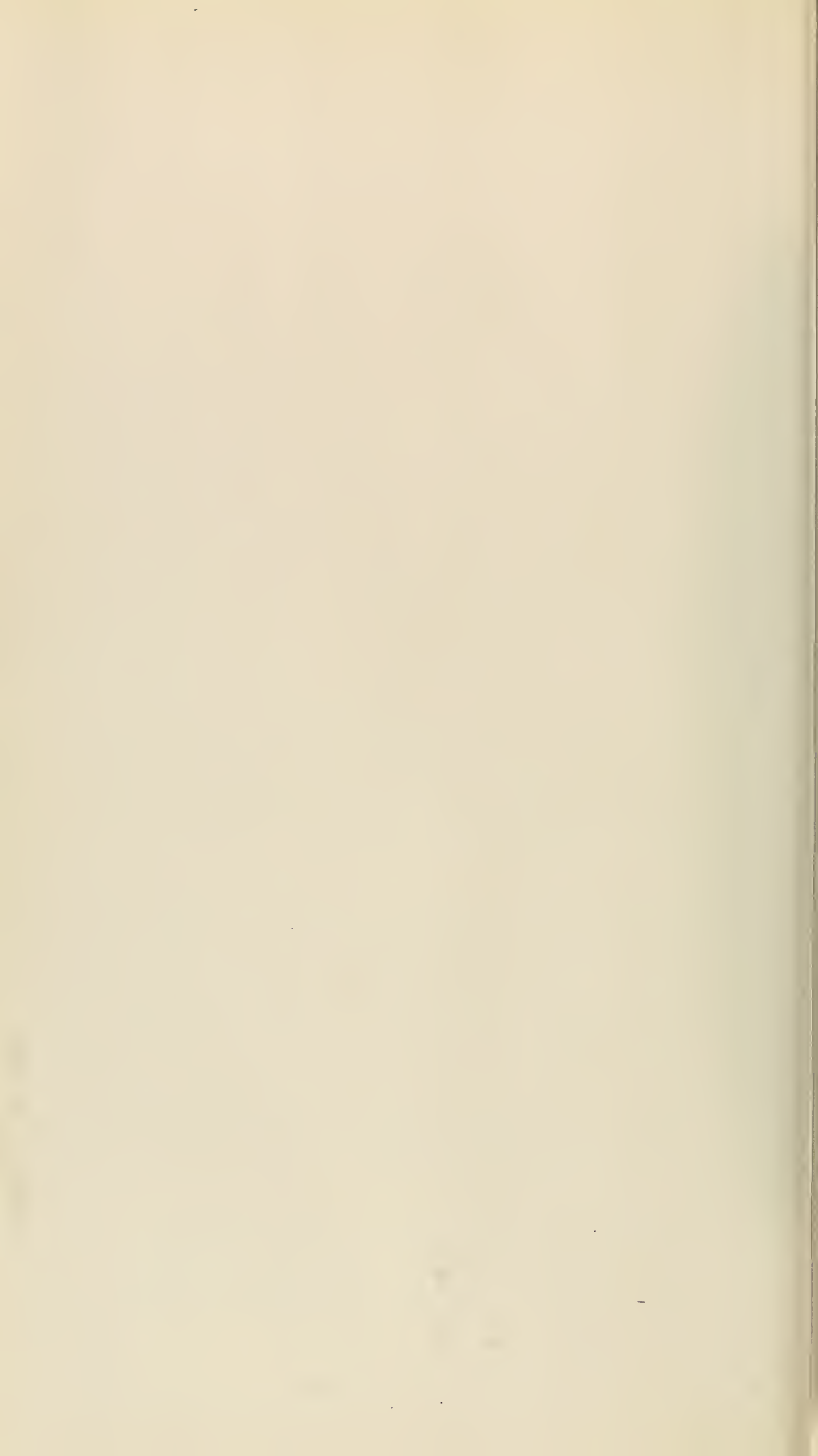
(Stevens) and Terry (Phillips) of assault on a police officer with a deadly weapon were overturned. A week from Friday, on February 18, 1977, they will appear for resentencing on a 245 (a) which means assault with a deadly weapon not assault on a police officer. Also, Commissioner Siggins and for you other Commissioners, there is still the matter of Mr. DeFilippo and Mr. Harrington'sthe problem that arose with the information they related to the Department to the response that was presented to you on the 12th. Now that is a pretty serious thing and I want you to state what you are going to do about that. I am asking for a official reprimand."

Commissioner Siggins stated that this was a separate issue and that it would take a separate review of the pages of the transcript for the Department to make a response. He also stated that he had heard Mr. Landberg read the transcript and because of the form in which the questions were asked during the trial proceedings, those charges as he heard them now would not be sustained.

Commissioner Ciani stated that she would like to go over the whole context in which those statements were made because they might have been omitting some of the other discussion which would be relevant to the way those questions were asked and answered and that she wouldn't want to make a decision unless she had had a chance to read the whole transcript. She further stated that she would make a motion to adopt Commissioner Siggins request.

Commissioner Siggins stated that would mean an exoneration of Sergeant Dunnigan and Officers DeFillipo and Harrington on the charges that Miranda Nelson filed on September 7th, 1976.

Commissioner Ciani then stated that she was very impressed with the quality of the investigation which was provided by the Department. She stated that there was no doubt in her mind that it has been a thorough investigation and she didn't think that any outside investigating source could do any better.



Commissioner Siggins then stated Commissioner Ciani's motion is seconded by Commissioner Hall. It was then unanimously approved by the Commission. He further stated that he will write to the Director of the Human Rights Commission giving him a summary of the matters discussed and that he would further add to the remarks Commissioner Ciani made about quality of the investigation and to which he also would compliment the Department and the Chief for allowing this issue to be brought out into the open by having it publicly heard and officially adjudicated.

RESOLUTION NO. 60-77

SENIOR-CLERK TYPIST JOANNE COYNE, BUREAU OF SUPPORT SERVICES

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Senior Clerk-Typist Joanne Cyne, as follows:

SPECIFICATION NO.1

Neglect of Duty. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Senior Clerk-Typist Joanne Coyne, be, and the same is hereby set for Wednesday, February 23, 1977, at 5:30 p.m., in Room 551, Hall of Justice.

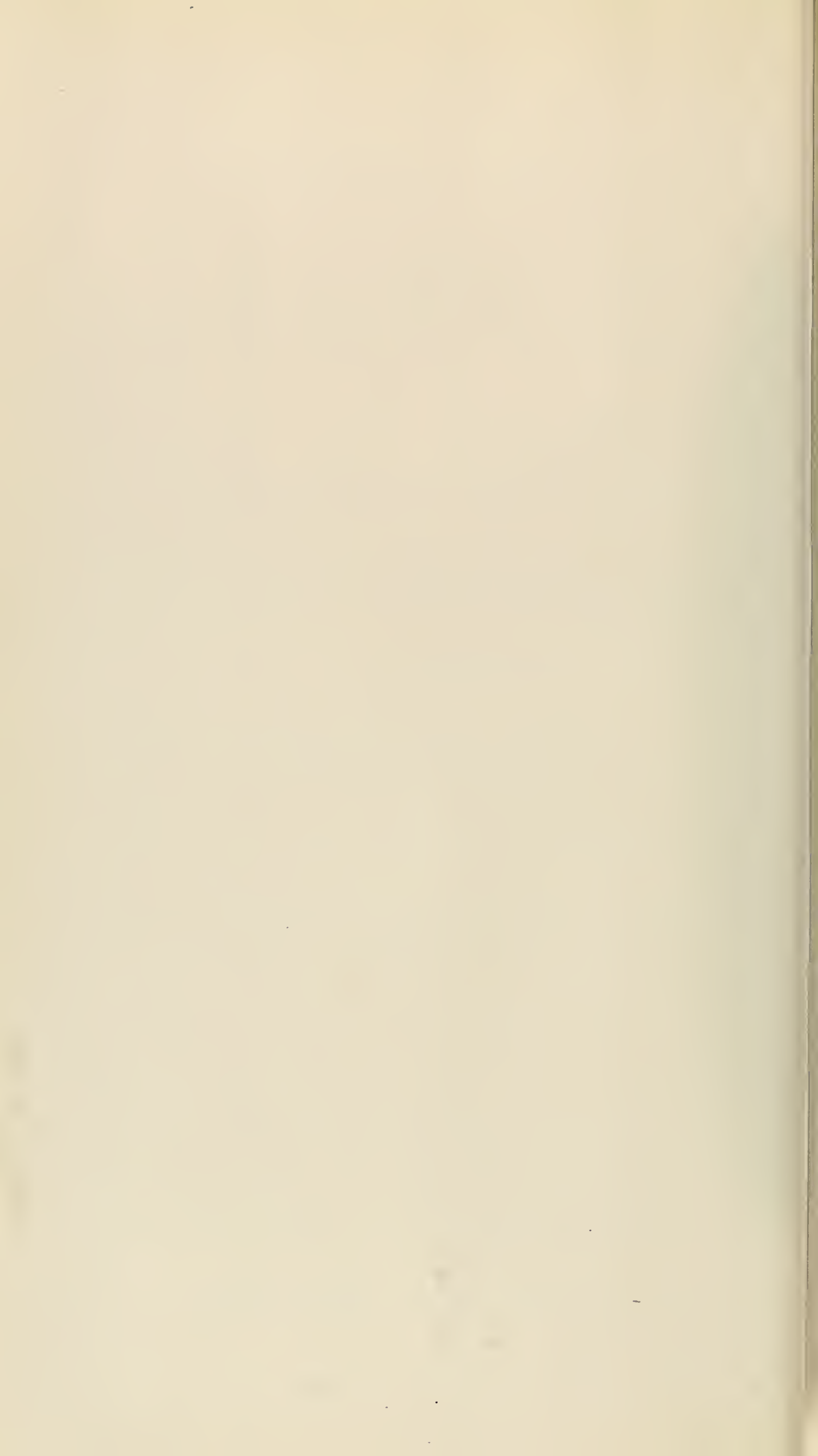
AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 62-77

HEARING OF ASSISTANT INSPECTOR PATRICK A. WOLFE, BUREAU OF INSPECTORS

WHEREAS, the hearing of Assistant Inspector Patrick A. Wolfe, Bureau of Inspectors,



was called, it having been set for this date; and

WHEREAS, it was requested by Mr. George G. Walker, Attorney for the Defense, that the hearing for Assistant Inspector Patrick A. Wolfe, be continued to Wednesday, February 16, 1977; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Assistant Inspector Patrick A. Wolfe is set for Wednesday, February 16, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 63-77

SENIOR CLERK-TYPIST ELIZABETH HALBERG, BUREAU OF SUPPORT SERVICES

WHEREAS, on Tuesday, January 18, 1977, Charles R. Gain, Chief of Police, made and served charges against Senior Clerk-Typist Elizabeth Halberg, reading as follows:

SPECIFICATION NO. 1

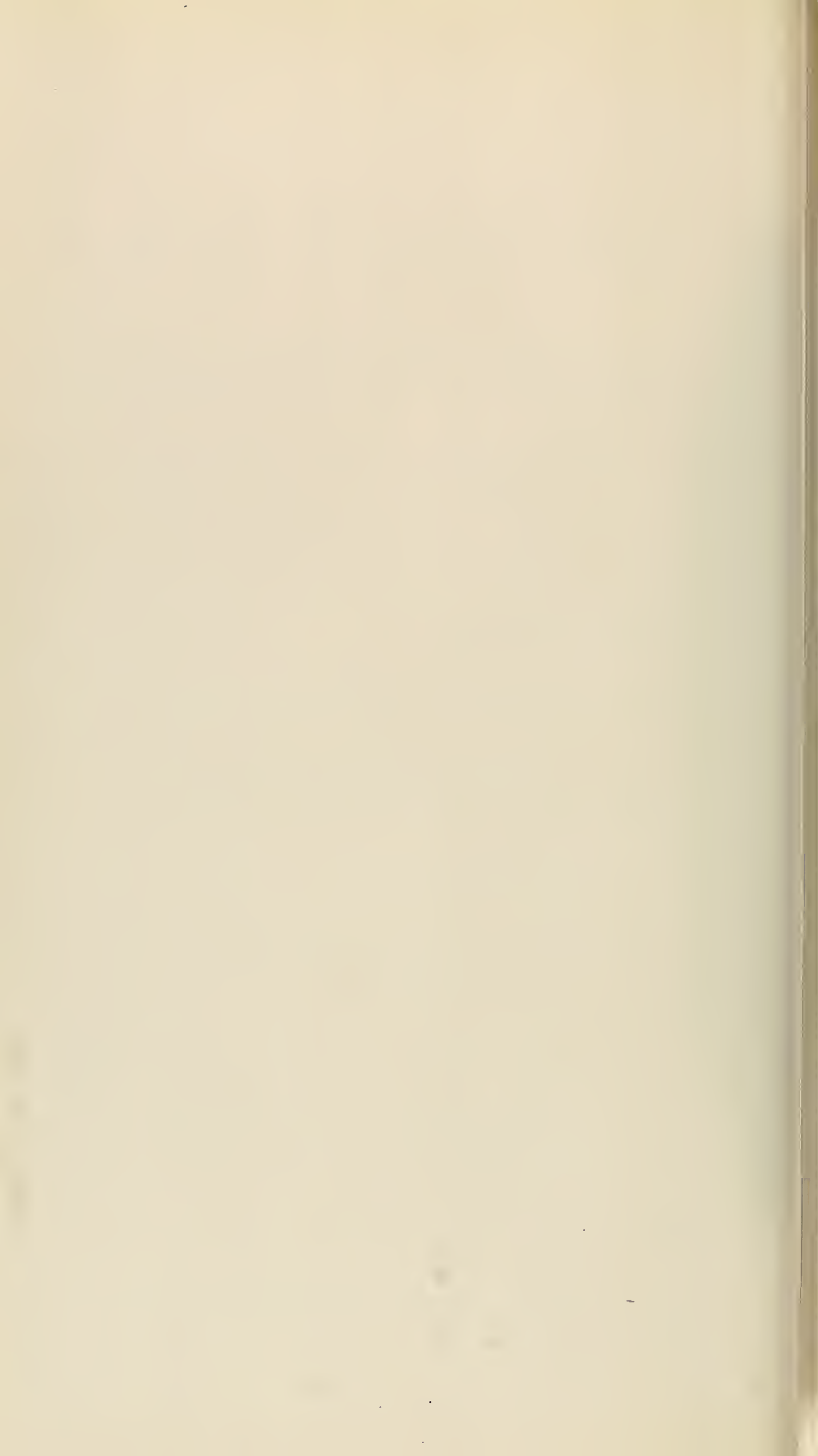
Neglect of Duty. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Conduct prejudicial to the efficiency and discipline of the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

and

WHEREAS, the Police Commission set Wednesday, February 23, 1977, as the date for the hearing on charges filed against Senior Clerk-Typist Elizabeth Halberg; and



WHEREAS, Chief of Police Charles R. Gain announced that the Police Department was in receipt of the resignation of Senior Clerk-Typist Elizabeth Halberg from the San Francisco Police Department; said resignation effective February 18, 1977, which resignation was accepted with the condition that the services of Senior Clerk-Typist Elizabeth Halberg have been unsatisfactory and that she does not resign in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Senior Clerk-Typist Elizabeth Halberg, be, and the same are hereby continued off calendar.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

REQUEST PERMISSION TO APPLY FOR AND ACCEPT AN INTEGRATED CRIMINAL APPREHENSION PROGRAM GRANT - CONTINUED ONE (1) WEEK.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

REQUEST PERMISSION TO APPLY FOR AND ACCEPT A PROPERTY CRIMES PREVENTION PROGRAM GRANT - CONTINUED OFF CALENDAR ONE (1) WEEK.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioners Murphy

Commissioner Siggins: " I would just like to state for the record that I talked to Officer Ballentine regarding a meet and confer session regarding the proposal, pilot program for the Office of Citizens Complaints Procedures and asked him to meet with us as soon as possible and he said he would have their attorney Mr. Solomon contact me tomorrow. So we are available and as soon as he contacts me we can set up a meeting.



HEARING OF POLICE OFFICER MARIO DILORENZO, INGLESIDE
POLICE STATION.

The hearing of Police Officer Mario DiLorenzo, Ingleside Police Station, was called, it having been set for this date. Police Officer Mario DiLorenzo was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Excessive Force. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Clement D. DeAmicis, Acting Chief of Police.

Police Officer Mario DiLorenzo appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Sergeant David P. Roche, Legal Officer, appeared as Prosecutor for the Police Department.

Opening Statements were made by both the Prosecuting and Defense Attorneys.

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Ronald Amorelli
839 Larchmont Drive
Daly City, California

Dr. Dudley J. Fournier
450 Sutter Street
San Francisco, California

Police Officer Warren Hawes
Ingleside Police Station

Police Officer Stephen Spranger
Ingleside Police Station

Sergeant Bill R. Taylor
Internal Affairs Bureau

Police Officer Mario DiLorenzo
Ingleside Police Station

The following-named witness appeared for the Defense, was sworn and testified:

Sharon Isaac
27 San Juan Avenue
San Francisco, California

A closing statement was waived by Sergeant David P. Roche, Legal Officer.

A closing statement was then presented by Mr. Stephen Bruce Bley, Attorney at Law.

The Commission took the matter under submission and then recessed from 2131 hours to 2140 hours after which the following resolution was adopted:

RESOLUTION NO. 61-77

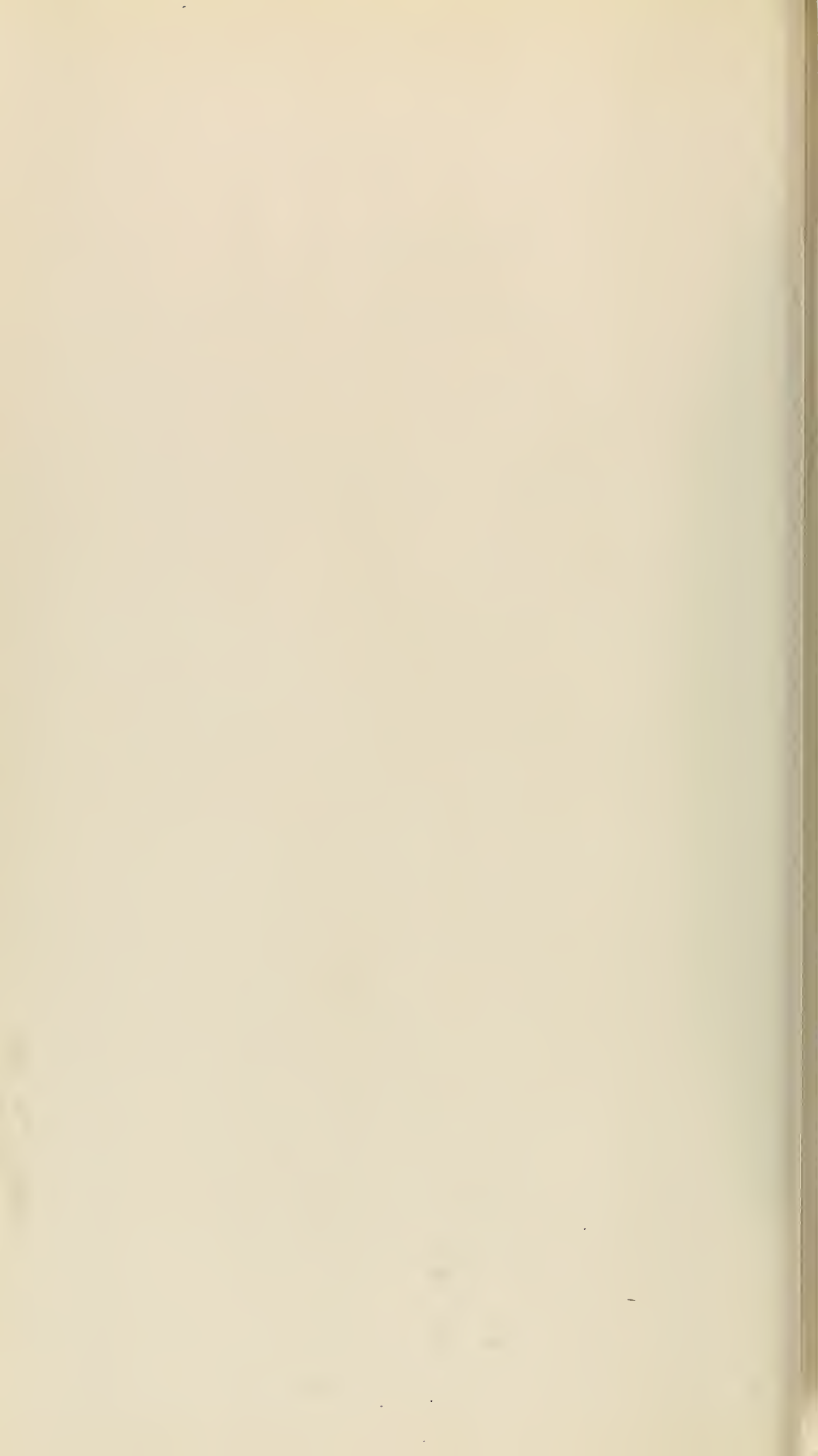
DECISION - HEARING OF POLICE OFFICER MARIO DILORENZO, INGLESIDE POLICE STATION.

WHEREAS, on August 27, 1976, Clement D. DeAmicis, Acting Chief of Police, made and served charges against Police Officer Mario DiLorenzo, as follows:

SPECIFICATION NO. 1

- a) That at or about 0215 hours on Tuesday, June 15, 1976, the accused was assigned as Station Keeper at the Ingleside Police Station;
- b) That at or about the above stated time a prisoner was brought into the Ingleside Police Station;
- c) That without lawful authority the accused did strike the prisoner in the Ingleside Police Station;
- d) That because of the above-stated conduct, the accused did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state



which tends to subvert the good order, efficiency or discipline of the Department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, February 9, 1977, and that on Wednesday, February 9, 1977, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Mario DiLorenzo, Ingleside Police Station, as contained in Specification No. 1 are sustained by the evidence presented at the hearing and that Police Officer Mario DiLorenzo has violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Mario DiLorenzo has violated Specification No. 1, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violation, Police Officer Mario DiLorenzo, be suspended for ten (10) working days without pay, commencing Wednesday, March 2, 1977 at 0001 hours, and terminating Tuesday, March 15, 1977 at 2400 hours.

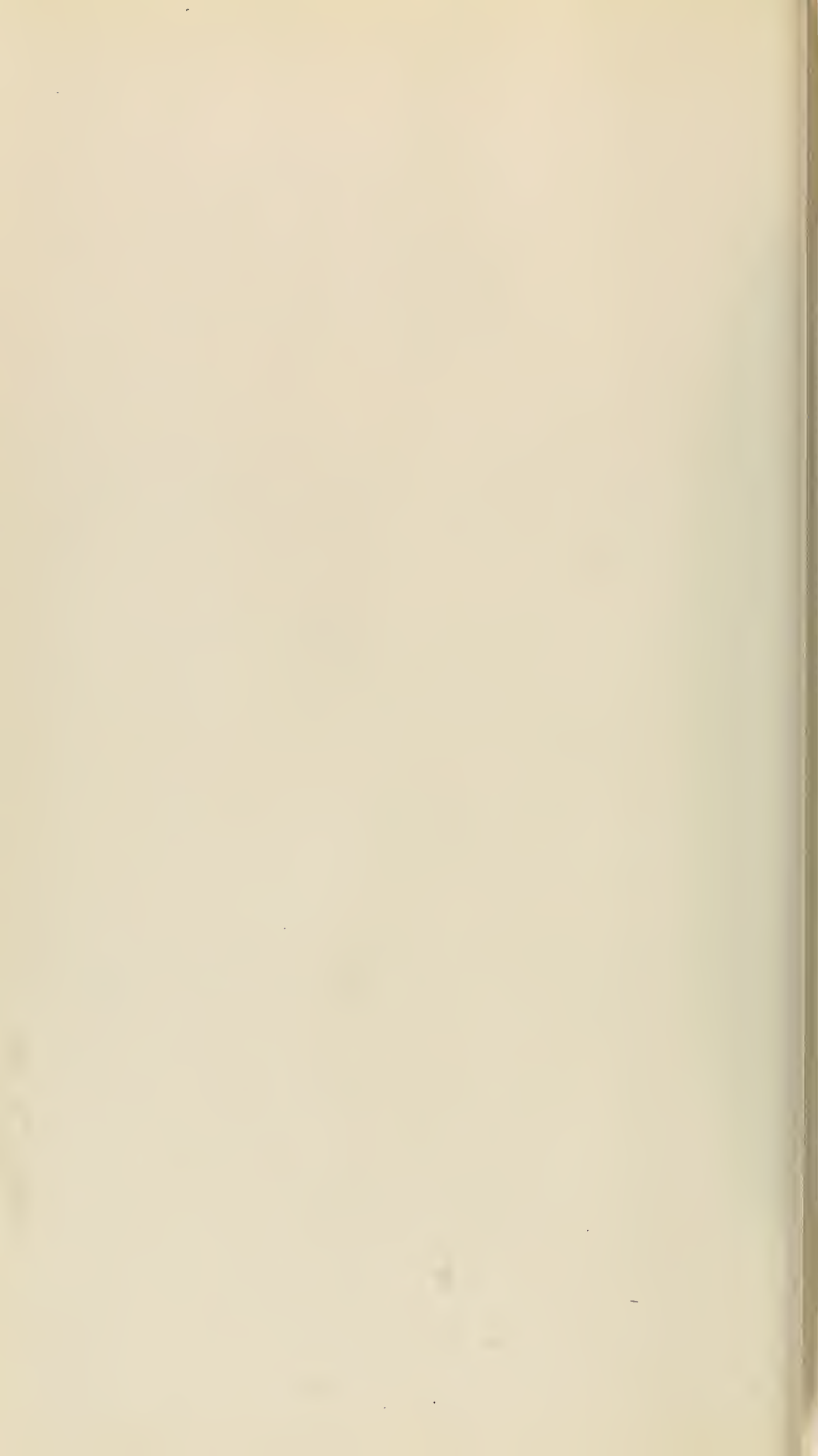
Recesses taken during the hearing of
Police Officer Mario DiLorenzo:

2131 hours to 2140 hours
2145 hours to 2155 hours

(The entire proceedings were taken
in shorthand form by Hearing Reporter
Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy



RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

56 - 12th STREET - BOYD LIGHTING FIXTURE COMPANY

- a) At 56-12th Street, revoke from 18' to 56' south of north property line.

1224 GRANT AVENUE - DIGRANDE RESTAURANT

- a) At 1224 Grant Avenue, install a 22' white zone, north of south property line.

3176-17th STREET - J. BORG SUPPLY COMPANY

- a) At 3176 - 17th Street, install a 23' green zone from 7' east to 15' west of east building line.

4599 - 18th STREET - VICTORIAN RESTORATION AND DESIGN

- a) At 4599 - 18th Street, install a 22' yellow zone from west building line to 22' east of same.

361 - 8th STREET - QUALITY BRAKE SUPPLY

- a) At 361 - 8th Street, install a 22' green zone from 3' to 25' north of south property line.

#10 HERON - 'QUALITY BRAKE SHOP

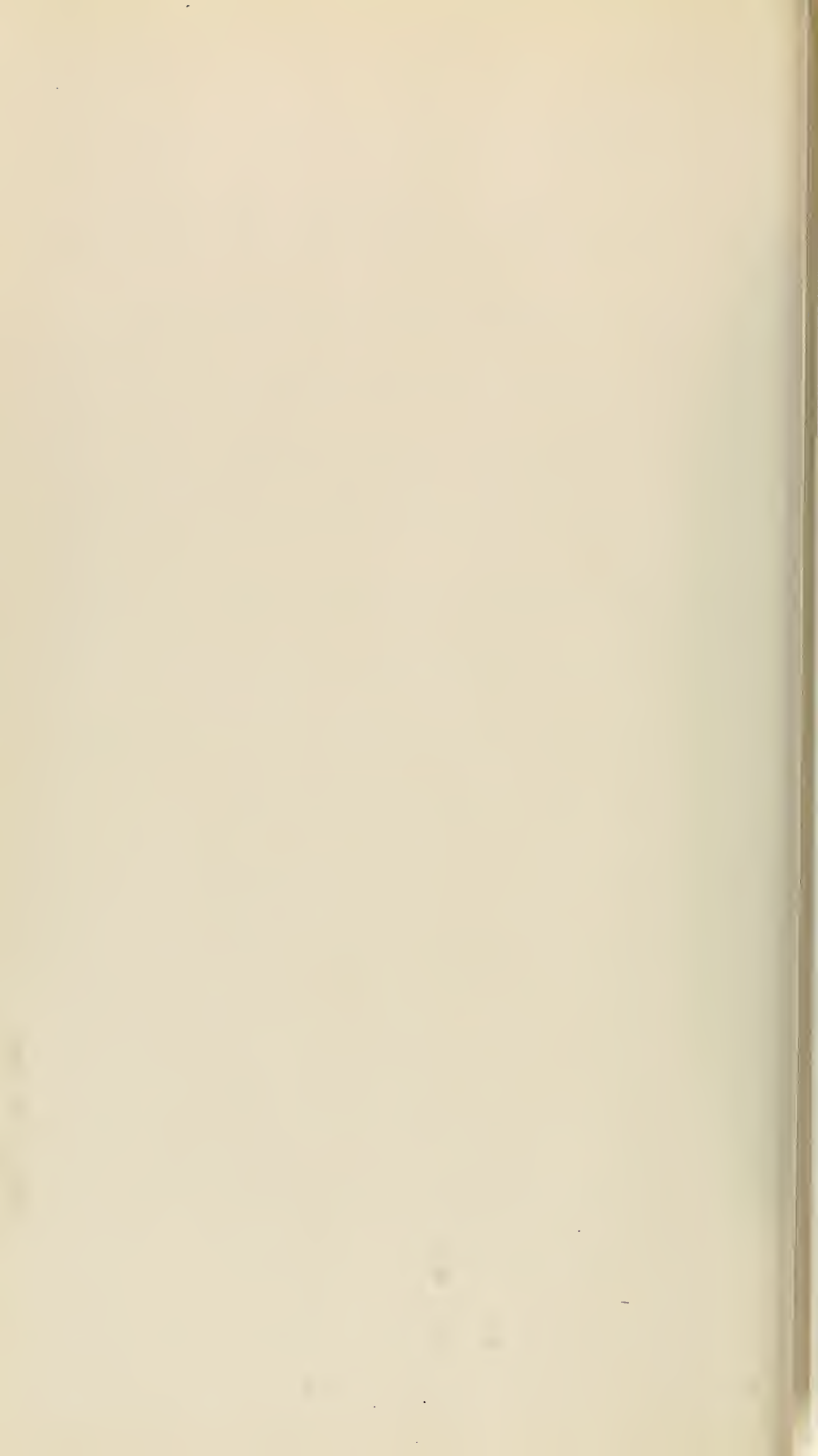
- a) At #10 Heron, install a 22' yellow zone from west property line to 22' east of same.

1701 FRANKLIN STREET - KUTSKO, MORAN AND MULLIN

- a) At 1701 Franklin Street, install a 44' white zone from 18' to 26' north of south property line.

1224 NINTH AVENUE - INNER SUNSET COMMUNITY FOOD STORE

- a) At 1224 - Ninth Avenue install a 20'



yellow zone, to extend north of
south property line.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

REVOKED

RESOLVED, that the recommendation of the
Traffic Bureau on the revocation of 18 feet of white
zone at that part of the City at the location sub-
mitted, be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RECOMMENDATION OF THE CITY ATTORNEY FOR SETTLEMENT
OF THE CLAIM OF WILLIE R. BROWN AND BARBARA BROWN
AND THEIR ATTORNEY AUBREY GROSSMAN AGAINST THE CITY
AND COUNTY OF SAN FRANCISCO IN THE SUM OF \$17,500-
HELD OVER

AYES: Commissioners Ciani, Gallegos,
Hall, Siggins

NOT VOTING: Commissioner Murphy

RETIREMENTS

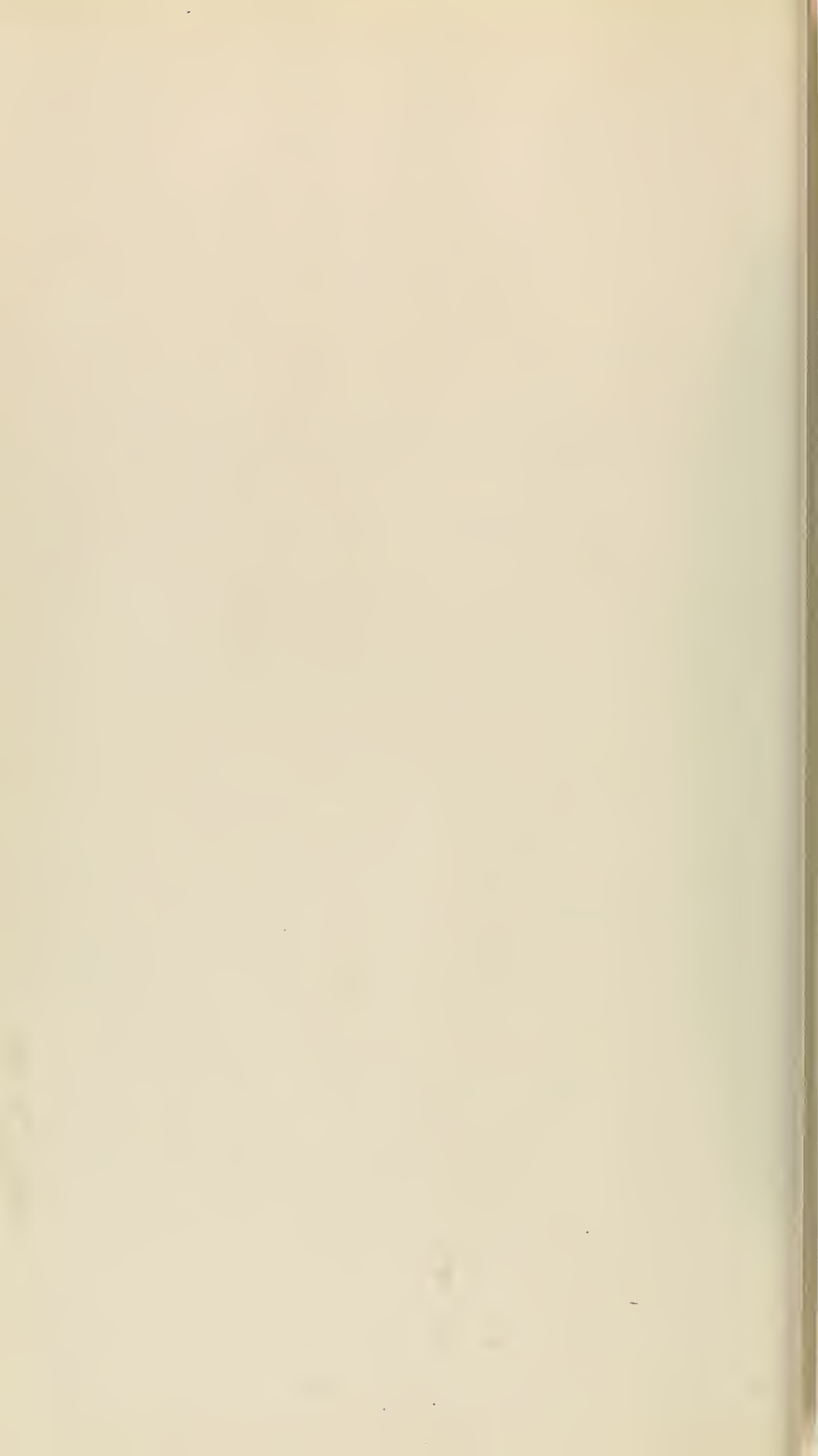
Communications received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Police Officer Walter J. Derby, Traffic Bureau, for industrial disability, effective January 27, 1977.
- b) Police Officer Gino R. Giaccani, Ingleside Police Station, for industrial disability, effective October 25, 1976.

The Communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy



RESOLUTION NO. 52-77

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$4,000 charging same to Appropriation No. 6. 161.890.050 as an advance on the Police Narcotic Fund for the month of March, 1977.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 53-77

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$3,000 charging same to Appropriation No. 6. 161.890.000 as an advance on the Police Contingent Fund for the month of March, 1977.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

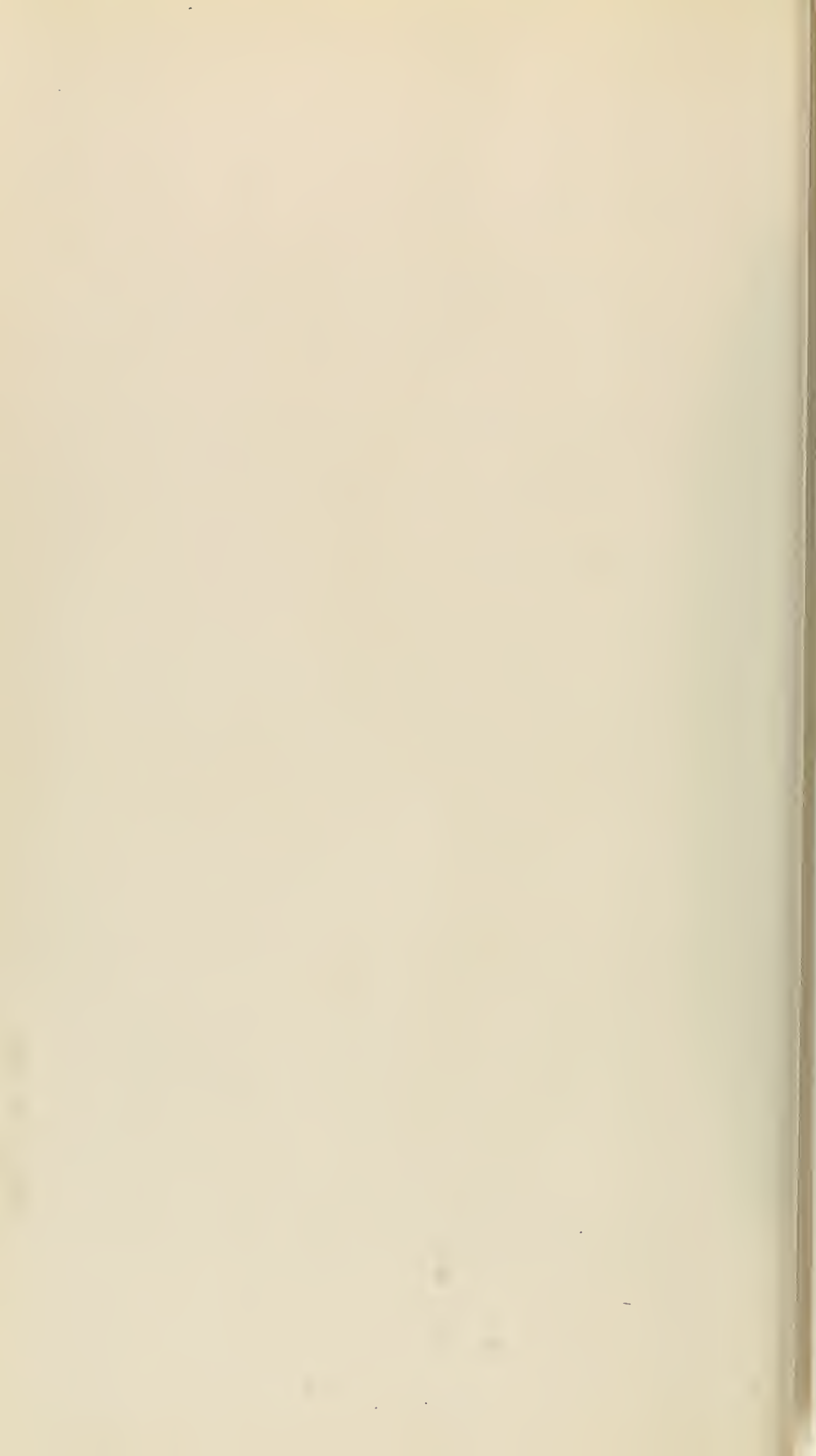
NOT VOTING: Commissioner Murphy

RESOLUTION NO. 54-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY ASSISTANT INSPECTOR ALAN SONODA AND POLICE OFFICER MATTHEW KRILETICH, YOUTH SERVICES DIVISION, INVESTIGATIONS BUREAU, AT A SCHOOL RESOURCE OFFICERS TRAINING COURSE AT LONG BEACH, CALIFORNIA, FROM JANUARY 24, 1977 TO JANUARY 26, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Assistant Inspector Alan Sonoda and Police Officer Matthew Kriletich received permission from the Police Commission to attend a School Resource Officers Training Course at Long Beach, California; and

WHEREAS, Assistant Inspector Alan Sonoda



and Police Officer Matthew Kriletich did travel to Long Beach, California, from January 24, 1977 to January 26, 1977, inclusive; therefore be it

RESOLVED, that expenses in the amount of \$243.00 each incurred by Assistant Inspector Alan Sonoda and Police Officer Matthew Kriletich while attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 55-77

AUTHORIZING ATTENDANCE OF LIEUTENANT VICTOR MACIA, CHIEF'S OFFICE, AT A POLICE EXECUTIVE PROGRAM DEVELOPMENT GROUP WORKSHOP AT CHARLESTON, SOUTH CAROLINA, FROM MARCH 7, 1977 TO MARCH 18, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Victor Macia, Chief's Office, be detailed to attend a Police Executive Program Development Group Workshop at Charleston, South Carolina, from March 7, 1977 to March 18, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Victor Macia in attending this workshop, will be defrayed by a grant from LEAA.

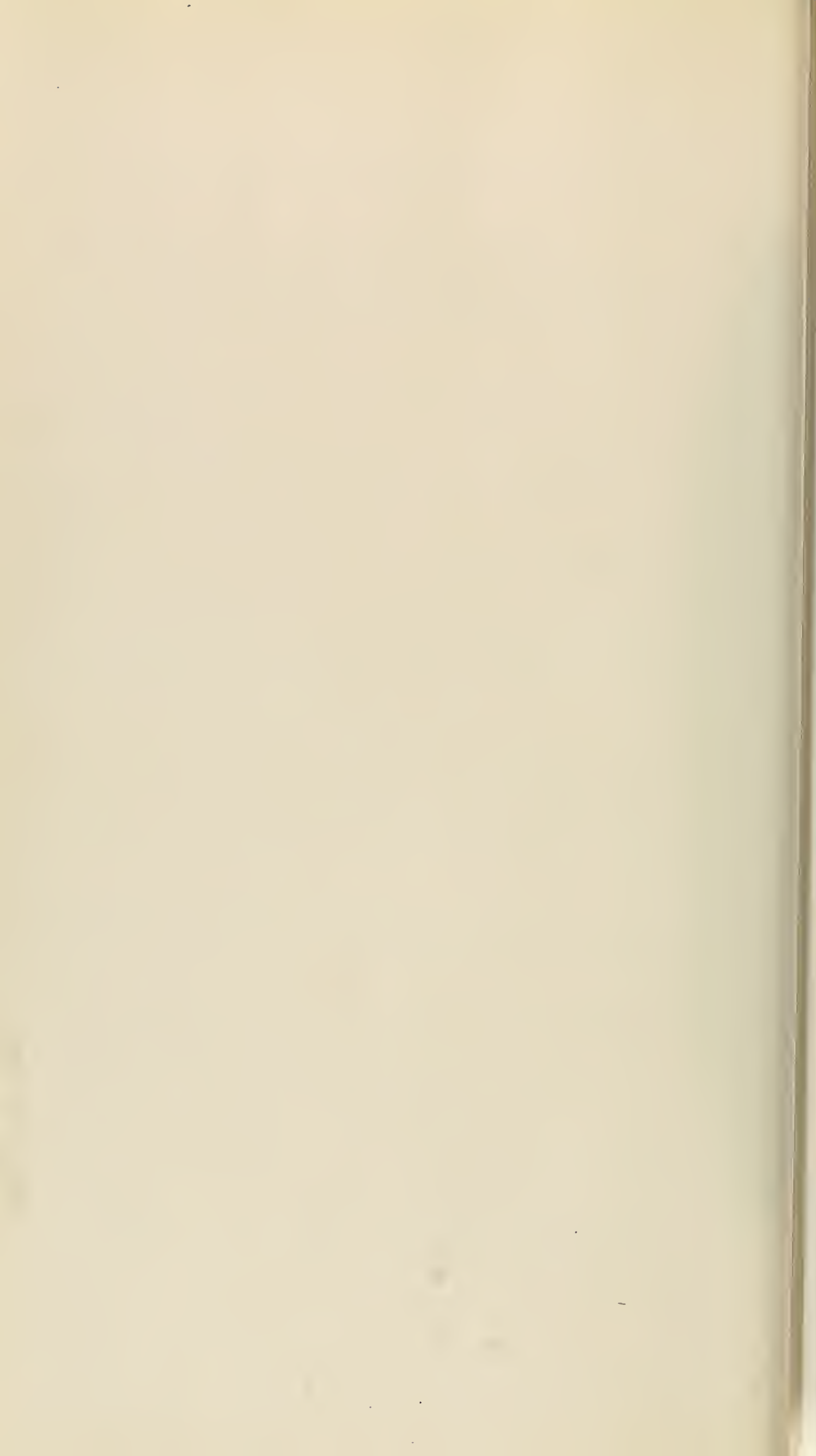
AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 56-77

AUTHORIZING ATTENDANCE OF LIEUTENANT JOHN J. JORDAN, INVESTIGATIONS BUREAU, AT AN EXECUTIVE TRAINING WORKSHOP ON "RAPE AND ITS VICTIMS" AT THE HILTON INN, SAN FRANCISCO AIRPORT ON FEBRUARY 16, 1977 TO FEBRUARY 18, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant John J. Jordan, Investigations Bureau, be detailed to attend an Executive Training Workshop on "Rape and Its Victims" at the Hilton Inn, San Francisco Airport on February 16, 1977 to February 18, 1977, inclusive, be, and the same is hereby approved; and be it further



RESOLVED, that expenses incurred by Lieutenant John J. Jordan in attending this workshop, will be defrayed by the University Research Corporation.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 57-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation from the following appropriations in the amounts indicated:

Appropriation No. 6.161.110.000		
Permanent Salaries-Uniform Force	\$11,320	
Appropriation No. 6.161.863.000		
Mandatory Fringe Benefits		
Transfer to No. 6.123.862.000	8,365	
Transfer to No. 6.699.865.000	109	
Appropriation No. 6.161.199.000		
Compensation Reserve	4,559	
	<hr/>	\$24,353

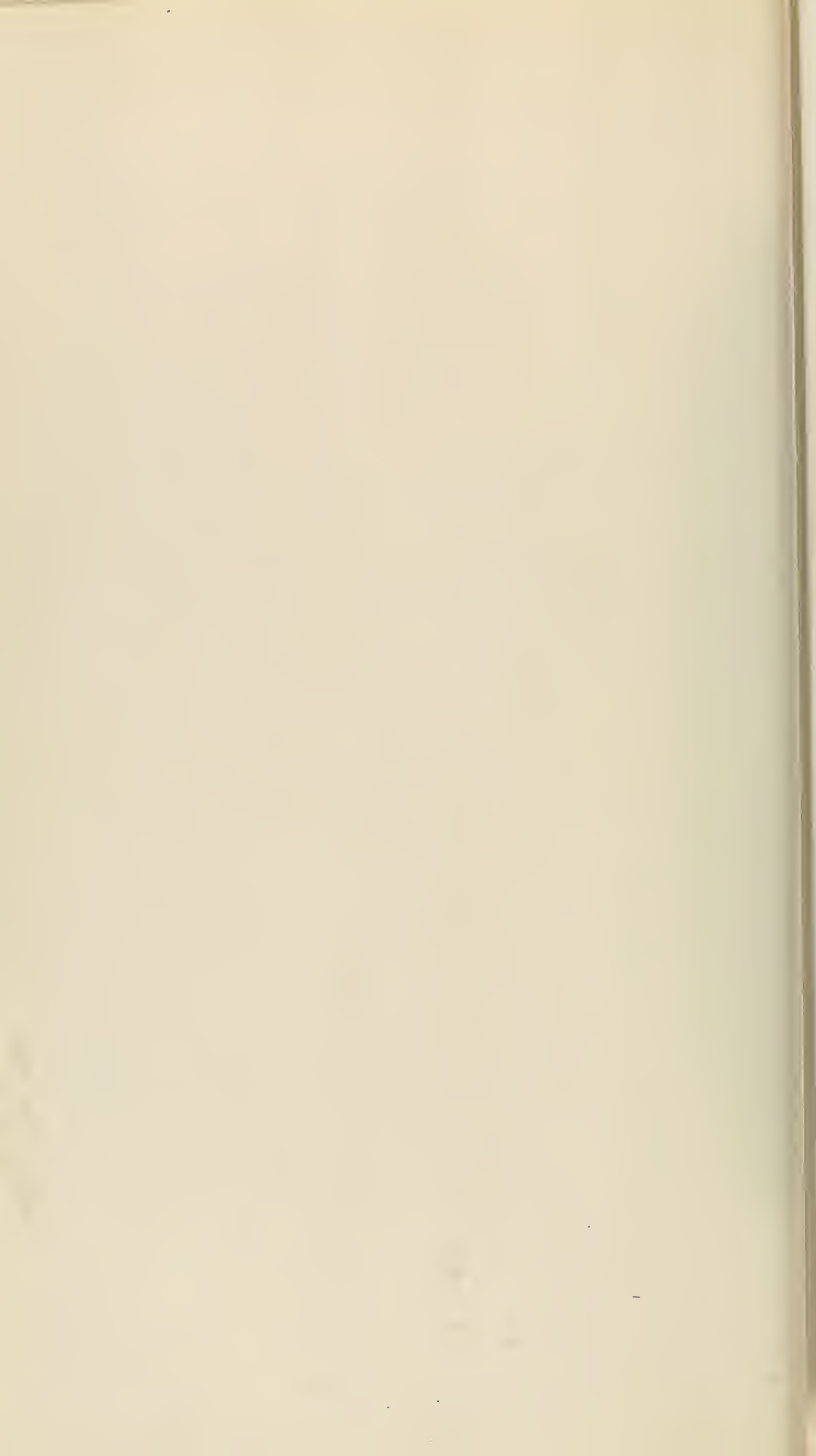
and credit it to the following appropriations in the amounts indicated:

Appropriation No. 6.161.110.000		
Permanent Salaries-Uniformed Force	\$13,944	
Appropriation No. 6.161.863.000		
Mandatory Fringe Benefits		
Transfer to No. 6.123.862.000	10,300	
Transfer to No. 6.699.865.000	109	
	<hr/>	\$24,353

to fund position of Deputy Chief - Administration.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy



WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, February 1, 1977 at 2400 hours:

	<u>PREVIOUS WEEK</u>	
Daily average for the week sick	84	78
Daily average for the week disabled	<u>91</u>	<u>98</u>
TOTALS	175	176

This is a decrease of one (1) member off duty daily from the previous week.

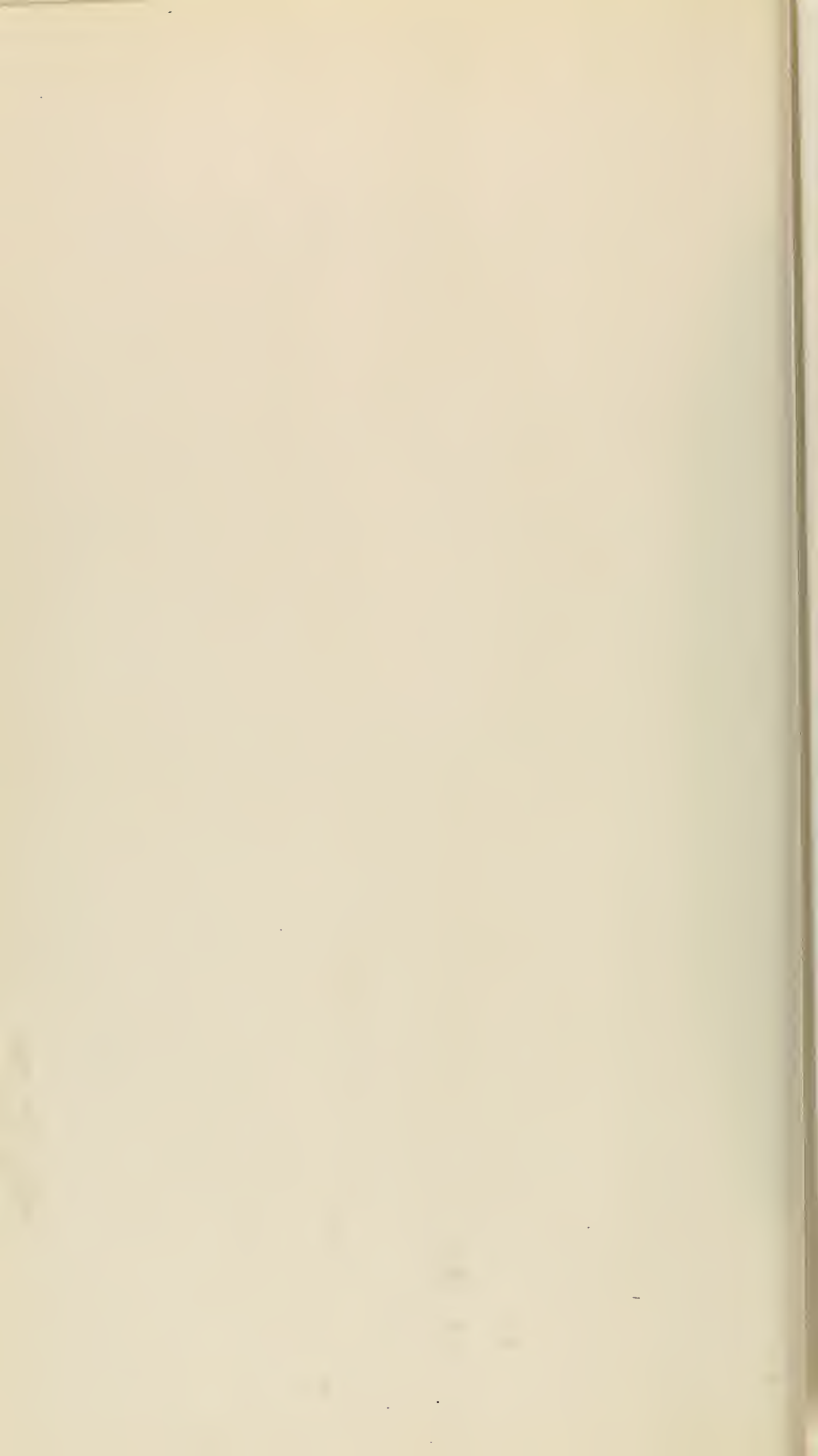
Daily percentage for the week sick	4.20
Daily percentage for the week disabled	<u>5.54</u>
TOTAL	9.74

Sick and Disabled for Week ending Saturday, January 31, 1976 at 2400 hours:

Daily average for the week sick	72
Daily average for the week disabled	<u>99</u>
TOTAL	171
Daily percentage for the week sick	3.76
Daily percentage for the week disabled	<u>5.28</u>
TOTAL	9.04

Sick and Disabled for Week ending Tuesday, January 12, 1977 at 2400 hours:

Daily average for the week sick	62
Daily average for the week disabled	<u>113</u>
TOTAL	175
Daily percentage for the week sick	3.15
Daily percentage for the week disabled	<u>6.79</u>
TOTAL	9.94

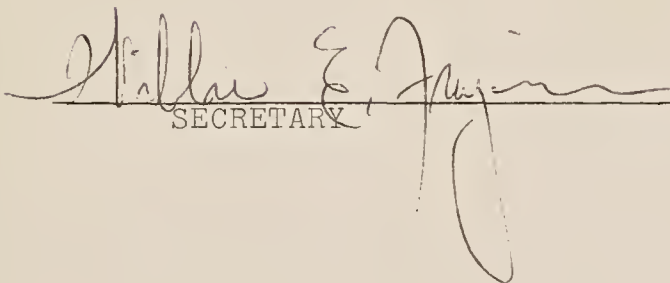


The report was ordered filed.

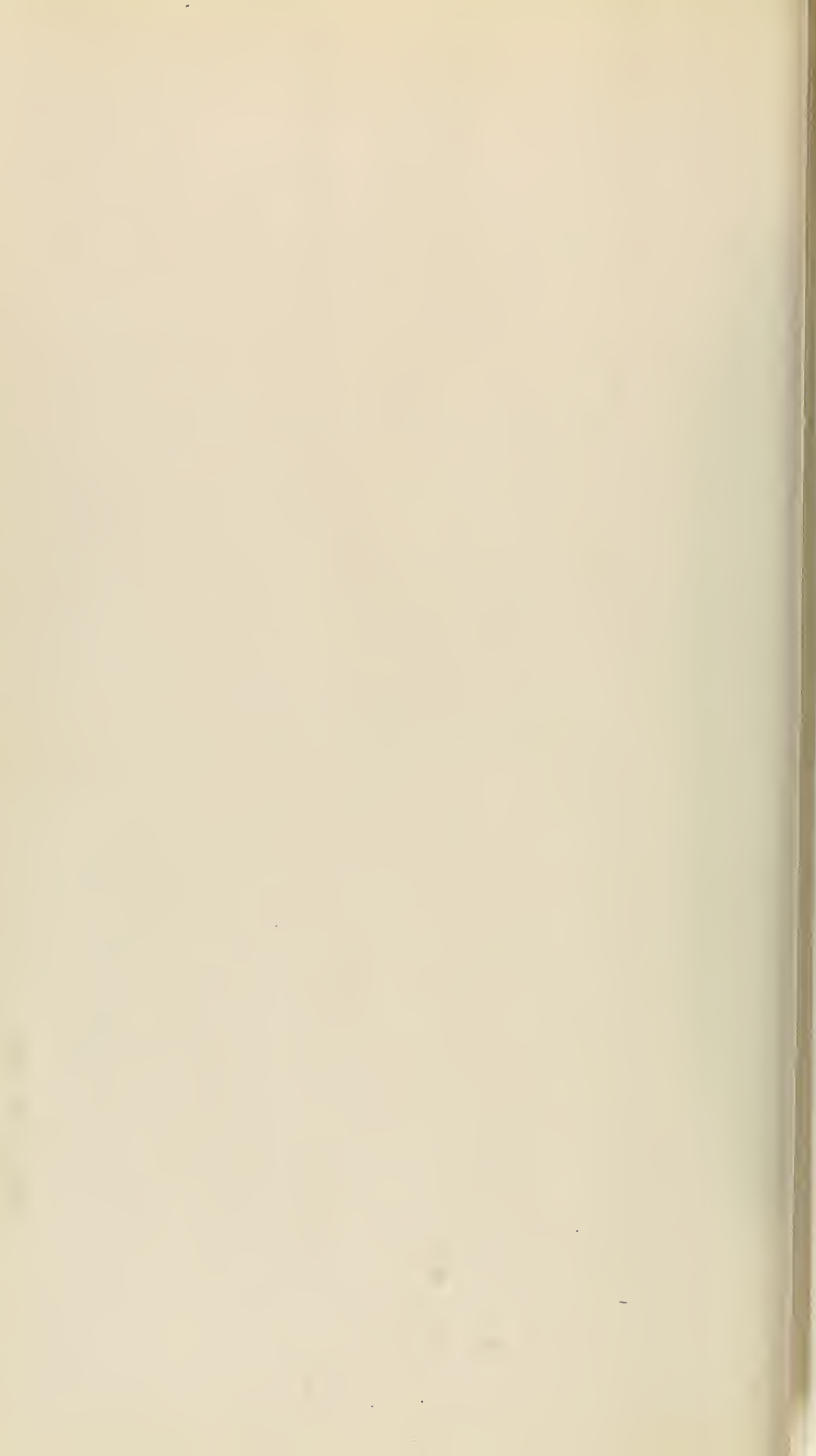
AYES: Commissioner Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

The Commission then adjourned its meeting.



SECRETARY



APR 5 1977

SAN FRANCISCO
PUBLIC LIBRARY

16 FEBRUARY 1977

REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 16, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Siggins

ABSENT: Commissioner Murphy

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the Special Meeting of January 21, 1977 and the Special Meeting of January 24, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

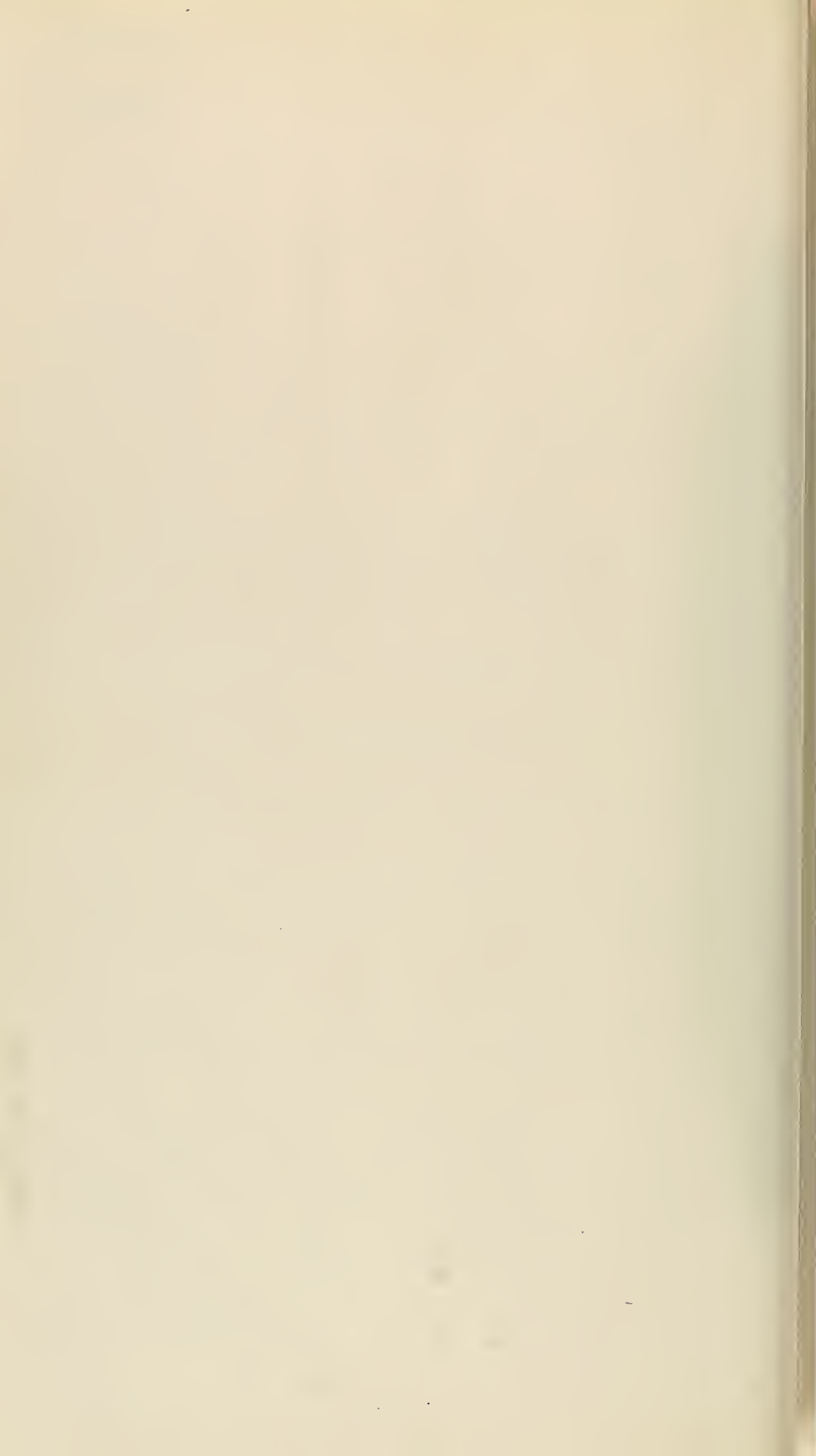
NOT VOTING: Commissioner Murphy

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, Members of the Commission, I would like to report on, one, we submitted a letter to you responding to several questions raised at the last meeting about the hiring of employees. With your permission I will have Deputy Chief Mullen review that letter with you."

Deputy Chief Mullen then verbally went over the highlights of the letter and answered questions tendered by the Commissioners. (Copy of letter on file with calendar items of this date.)

Chief Gain then stated that he had two other things to report to the Commission: "I have submitted a letter to you of which I don't think you have received. Because of the number of security post that we have to fulfill, last week we took 21 police officers from various positions and legal, one from Community Relations, various units, in Internal Affairs, so that we could maintain constant staffing in our district stations. So that Taraval, for example, and Ingle-side would not be short. So with 21 last week, this week we took 8 more for a total of 29. So that as a matter of fact now when it comes to the security of the Supervisors and other security or any where else



to see so we are going to maintain that constant staff in district stations notwithstanding the other security measures that we have to implement. Now the last thing that I would like to do in my report tonight is to have Lieutenant Trueb review with you a document we just gave you tonight which pertains to the status of the Federal Court Case and also a letter written to LEAA and LEAA'S response and then the status of that matter."

Lieutenant Trueb stated that contained in the letter is the question of the suspension of funding by the LEAA because of this department allegedly not complying with the Omnibus Crime and Safe Streets Act. He stated that the Court stated it found an inference of possible discrimination. He then said that based on that a letter from Mr. Gnaizda of Public Advocates went to LEAA. He said that a hearing on the OFJ matter which is set for trial on May 3rd will take in the aspects of this matter and if the Court finds that the Department is in compliance it will moot the letter and the LEAA's concern. If the Department is not in compliance then we would have to follow the directions of the Court and submit to certain requirements which LEAA would develop. He stated that there is no problem of funds being terminated at this time. The City Attorney is aware of it and will take the appropriate action if the Court finds after the May 3rd hearings that the Department is not in compliance.

BIBLIOGRAPHY FOR PROMOTIVE EXAMINATION FOR LIEUTENANT OF POLICE.

Chief Gain: "Mr. President, Members of the Commission, as you know the Commission received a letter from the Secretary of the Civil Service Commission regarding the Bibliography for the Lieutenant's Promotional Exam reflected that the Civil Service Commission opted to reject the Bibliography in order to reman it to the Police Commission for further review. I talked today with the President of the Civil Service Commission who related to me and wanted me to relate it to you about the reconsideration. He felt that the Civil Service Commission would accept whatever the Police Commission does submit which means they are amenable to accept a Bibliography as previously submitted. However, what I would request of you is that we continue this matter for one week so that I could confer with Civil Service Staff. I am concerned, based upon reports that I have received, that when it comes to choosing multiple choice questions from the Bibliography that there may be a tendency to pick out the very esoteric parts of books, some historical dates and something of that nature. I just want to review with them just what they do because if it is going to require rote memory, memorization of these books then I think we have a real problem. So I would request that it be continued for one week. I will confer with Civil Service Staff and report back to you next week. Another concern expressed,



by the way, in regard to nine books was a concern that police officers studying for the exam would be spending all of their on-duty time reading books rather than working. And I assured two persons who has stated that concern to me that that actually would not occur whether it is one or nine books. It seemed, historically perhaps, that that was condoned in the police department but regarding any exam it will not be condoned hereafter, studying while on duty. It is not fair and, of course, it is not appropriate."

Mr. Ralph Salzman representing the San Francisco Police Officer's Association, spoke on the issue, stating that the Police Officers Association's position was that they wanted well qualified people filling the Lieutenant's positions, that they wanted this Police Commission to consider the Bibliography with all due speed and that they want an examination, ultimately, that will test on a job-related basis, that will stand the onslaught in Federal Court so that the men who study for this examination and take it, pass high on the list, will be appointed to their intended positions.

Commissioner Ciani, after conferring with Commissioner Siggins stated: "We are just pointing out the irony in the POA asking us not to delay, in view of the fact that I think the litigation has been substantially delayed by actions of the POA and the hiring has been delayed as a result of that."

She then stated that she did not disagree with the desires of the Association as far as getting well qualified people for those positions. She stated however, that she wanted to point out that the test is pretty much within the jurisdiction of the Civil Service Commission and the Chief has stated that the Department is going to try to work with them to be sure that the questions that are on that test are fair and are job-related.

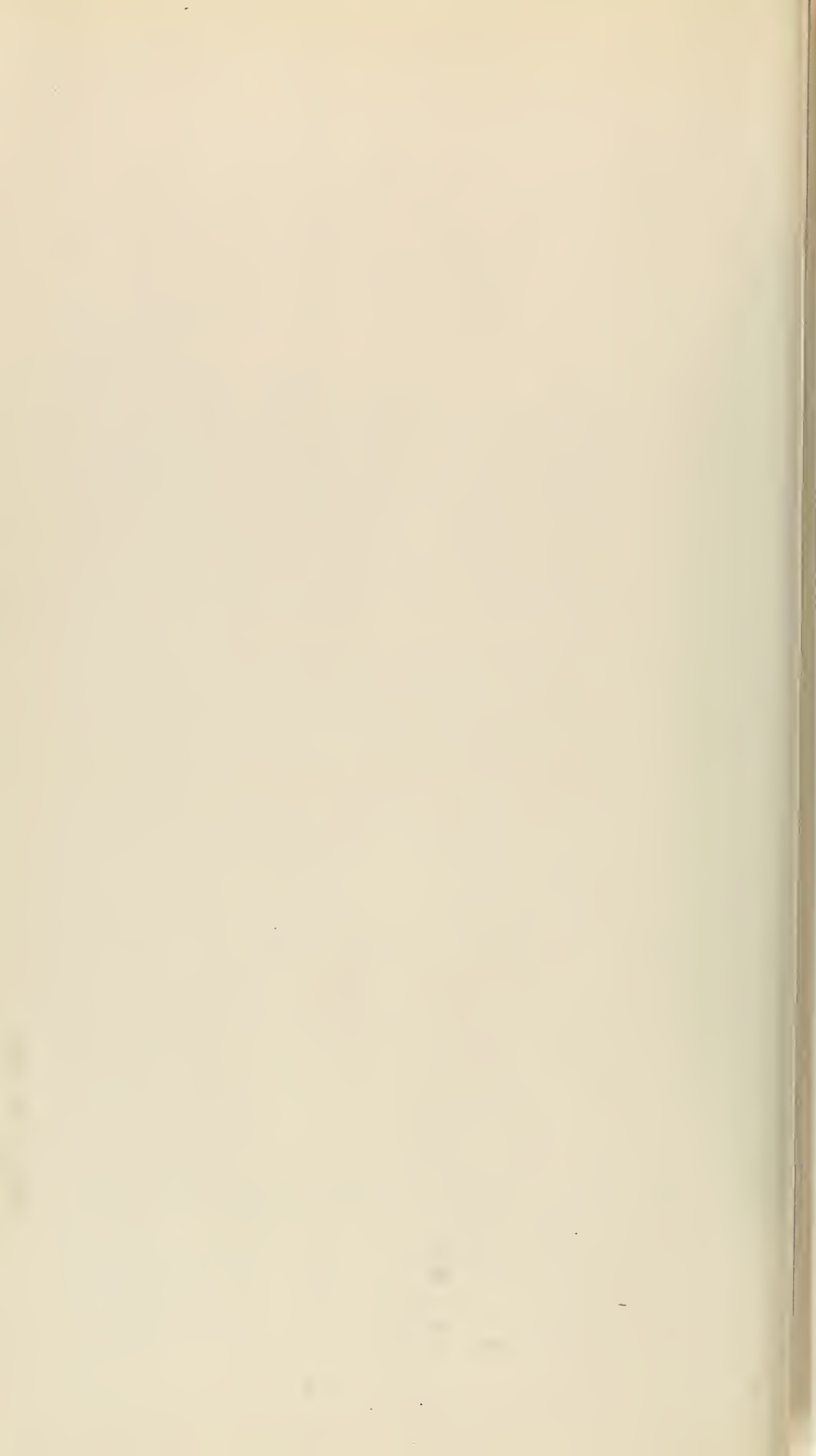
The matter was then put over for one week.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

REQUEST PERMISSION TO APPLY FOR AND ACCEPT AND INTEGRATED CRIMINAL APPREHENSION PROGRAM GRANT.

Chief Gain: "Mr. President, Members of the Commission, we submitted to you some time ago a copy of the Grant, Mr. Ray Galvan is here to speak to it to the extent that if you want to ask questions. I would characterize the Grant in this way that it is a control emphasis



Grant which has as its purpose the hiring of some experts the majority of whom will be persons from within the City and County of San Francisco in order to do some reviewing of our patrol operations to implement, to establish and implement effective training programs and that is where a great need is within the police department. The upward goal of which, of course, is to bring about more efficiency and effectiveness so that we can impact upon the serious crimes that has been our goal for over one year. There will be established, assuming approval of this Grant, a committee comprised of the patrol division's staff, reporting to the Deputy Chief, we will have Sergeants, Lieutenants and Police Officers who will be a committee that will make some determinations and monitoring and will have on-going input into the Grant for the time it is in effect."

Mr. Galvan then spoke further in this regard stating that the Chief had pretty well described what they were trying to accomplish. The Commission then adopted the following:

RESOLUTION NO. 68-77

APPROVING AND AUTHORIZING THE DEPARTMENT OF POLICE UNDER APPLICABLE PROVISIONS OF THE CITY CHARTER, TO APPLY FOR, ACCEPT AND ADMINISTER A GRANT OF FUNDS FROM THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION FOR A PROJECT ENTITLED "AN INTEGRATED CRIMINAL APPREHENSION PROGRAM."

BE IT RESOLVED, that the Police Commission of the City and County of San Francisco does hereby approve and authorize the Department of Police, under applicable provisions of the City Charter, to apply for, accept and administer, a grant of funds from the Law Enforcement Assistance Administration, as follows:

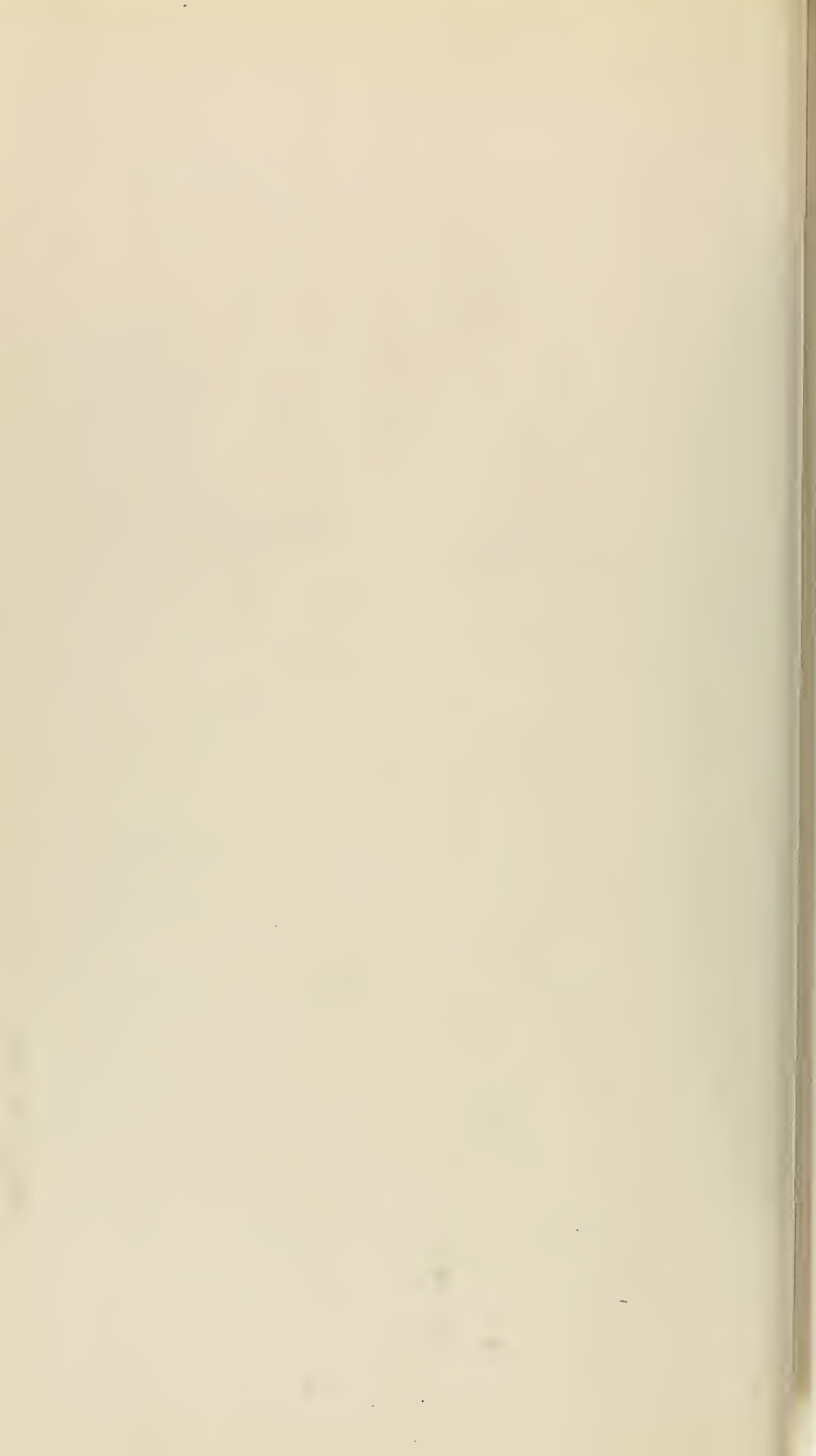
\$282,521	For purpose of strengthening the Department's patrol division in identifying, apprehending and supporting the prosecution of criminals.
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AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RECOMMENDATION OF THE CHIEF OF POLICE TO ESTABLISH A FIELD TRAINING AND EVALUATION PROGRAM BASED ON THE CONCEPT THAT THE TRANSITION FROM ACADEMIC TRAINING TO STREET PERFORMANCE REQUIRES THE MEDIATION AND ASSISTANCE OF AN EXPERIENCED POLICE OFFICER.

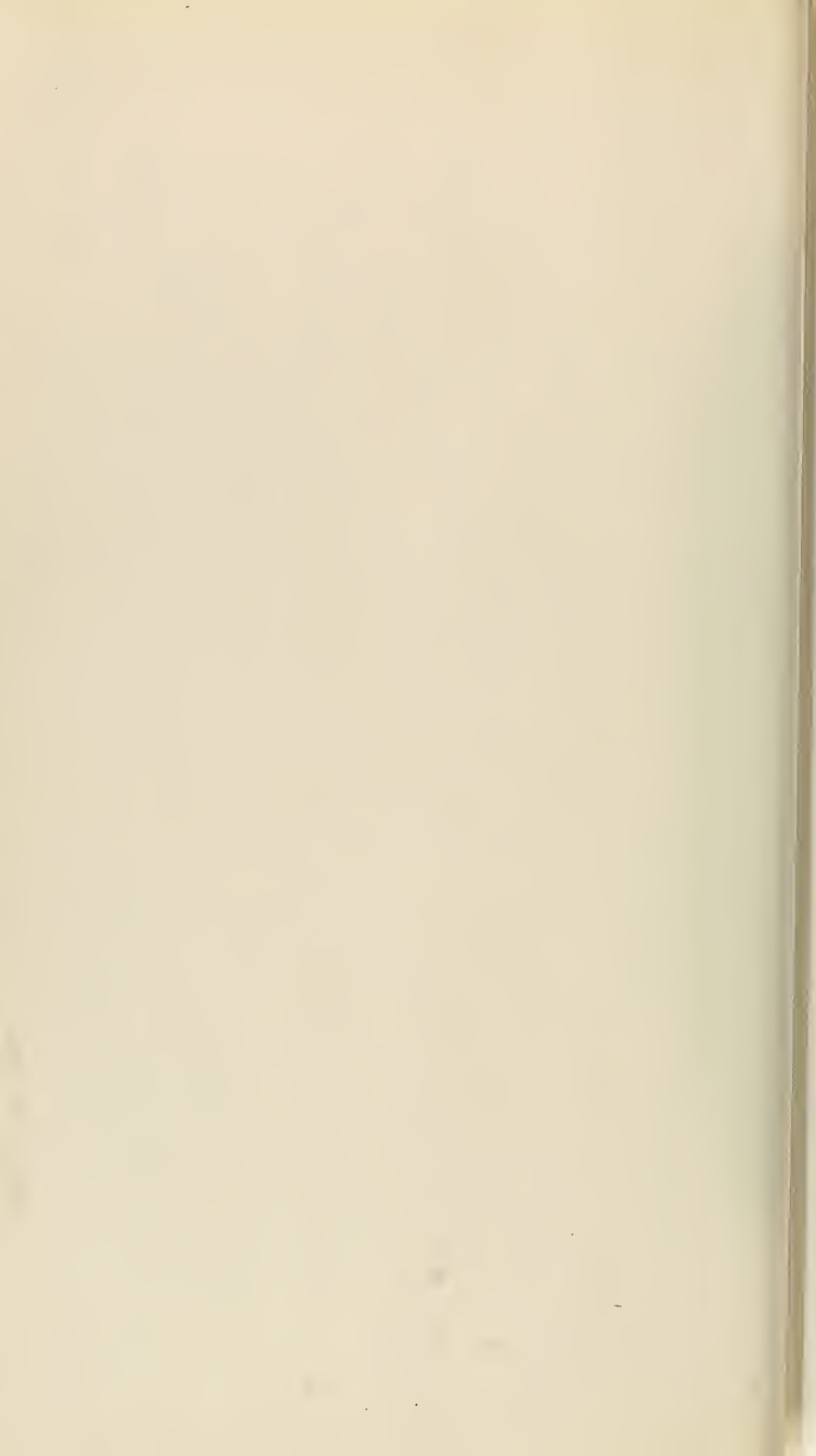
Chief Gain: "Mr. President, if I may I would like to



invite, first of all, Lieutenant Koenig, Sergeant Hebel, Lieutenant Klapp, to come forward and take a chair. If I may by way of prefacing this item, there has been in the San Francisco Police Department for approximately 11 years, a so-called Field Officer Program, however, it has lacked substance and structure. Basically, the Field Training Officer Program is a continuation of the training so that when a recruit officer goes to recruit school he goes into recruit officer training. I am very proud tonight to have Lieutenant Koenig, Sergeant Hebel and Lieutenant Klapp here. In December some 20 sergeants undertook an 80 hour supervisory course for the purpose, bring among our best and most experienced sergeants, of shaping that course down so that in the future when we hire or appoint sergeants they then would be sent to a supervisory school that is competitive by POST and has been undertaken as a pilot project with the sergeants. So it was Mike Hebel, one sergeant, Robert Geary, Dunnigan, Racine and police officer Al Benner among the 20. They were there during that 80 hour course. They also undertook to evaluate and eventually opted to recommend to us the adoption of a totally revised field training officer program. I went down to the academy and met with them, they really undertook an arduous task and came up with the concept. At that time they were so enthused and dedicated to having a good sound Field Officer Training Program that we established a committee. These names are the ones on the committee and they have spent just literally hours ever since that time working day after day to develop a real sound Field Training Officer Training Program which I am convinced, as a result of their efforts, will be the model for the State of California. What has happened within this state, the Oakland Police Department years ago established a pretty good program, San Jose Police Department established what has been and is now the best. They borrowed from San Jose's program and implemented and innovated and came up with ours, so with your permission Lieutenant Koenig will speak first. He is the Lieutenant that will be in overall charge of the Field Training Officer Program, Mike Hebel, the Chairman of the Committee, will also speak to it and then Lieutenant Klapp will have a few words."

After hearing from the above-mentioned officers, Commissioner Siggins then inquired as to whether there was a final grade given to the recruit and was told by Lieutenant Koenig that he would go before an Oral Board for final judgment as to whether he was competent and qualified after this training. Commissioner Hall inquired as to the kind of grading scale that would be used. Lieutenant Koenig stated that they would use a grading scale from one to seven with four being the minimal acceptable performance. He stated that anything under four would require a written explanation as to why it was low, or anything over six would require an explanation of why he was so good.

Further discussion was held after which the Commission



adopted a resolution approving the Field Training Program in concurrence with item number 5 of the Consent Agenda.

RESOLUTION NO. 69-77

HEARING OF ASSISTANT INSPECTOR PATRICK A. WOLFE,
BUREAU OF INSPECTORS

WHEREAS, the hearing of Assistant Inspector Patrick A. Wolfe, Bureau of Inspectors, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. George G. Walker, Attorney for the Defense, that the hearing for Assistant Inspector Patrick A. Wolfe, be continued to Wednesday, March 9, 1977; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Assistant Inspector Patrick A. Wolfe, is set for Wednesday, March 9, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RECOMMENDATIONS OF THE TRAFFIC BUREAU APPROVED

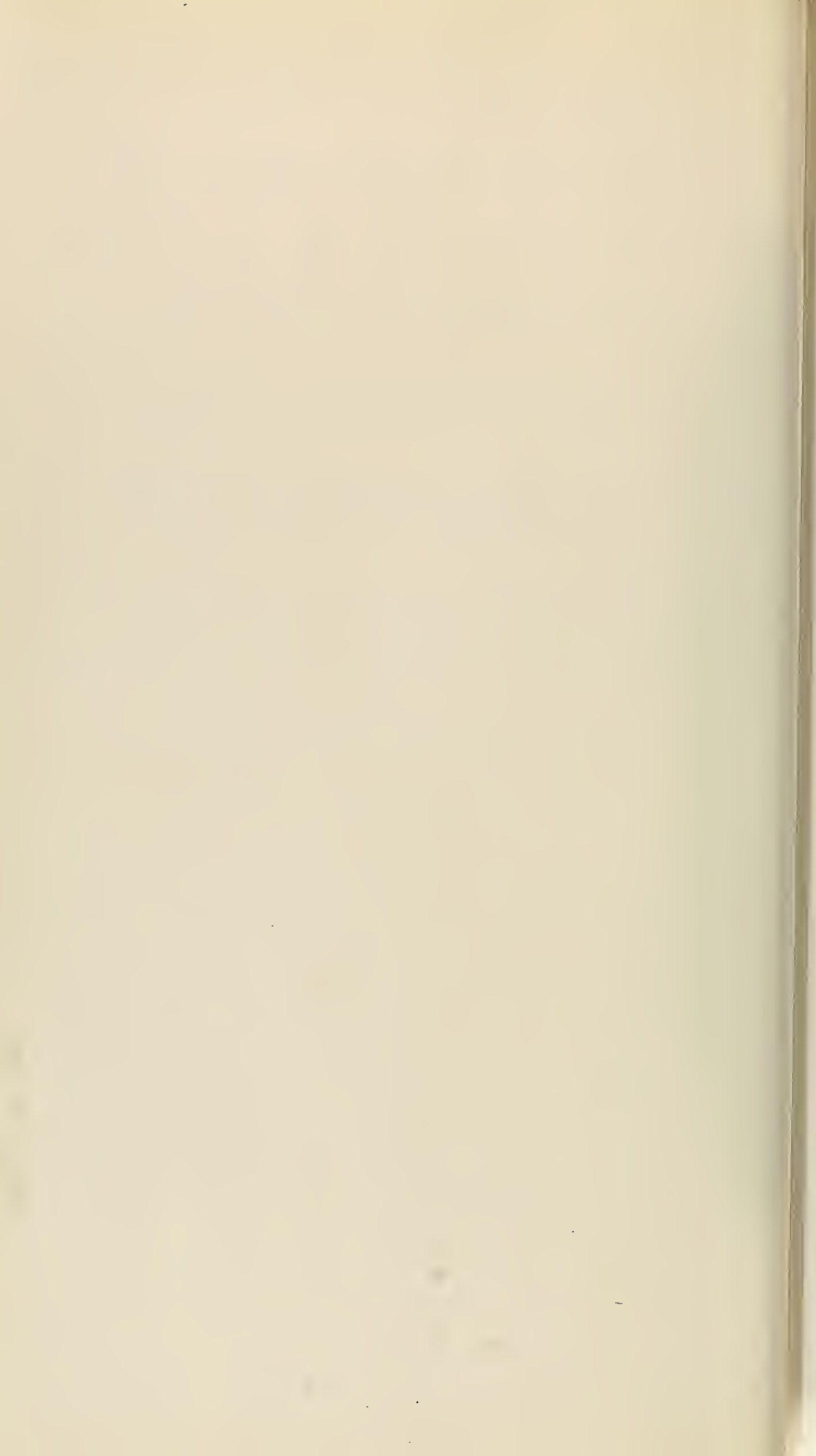
RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

423 PRESIDIO AVENUE - PRESIDIO MALL LTD.

- a) At 423 Presidio Avenue, revoke 8' to 32' South of North Property Line.

382 - 18th AVENUE - R.E. HUCK CO. INC. - HELD OVER

- a) At 382 - 18th Avenue, 22' to 17' to 38' North of South Property Line. HELD OVER



459 VIENNA - APOSTOLIC GOSPEL CHURCH -ST. BARNABAS
EPISCOPAL CHURCH

- a) At 459 Vienna Street, install a 44' white zone from south property line to 44' north of same.

1390 LOMBARD STREET - KPIX ANNEX(2800 VAN NESS AVE)
HELD OVER

- a) At 1390 Lombard Street, install an 8' yellow zone to extend from 24' - 32' west of east property line - (Horizontal parking.) HELD OVER

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 3 feet of yellow at that part of the City at the location submitted be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

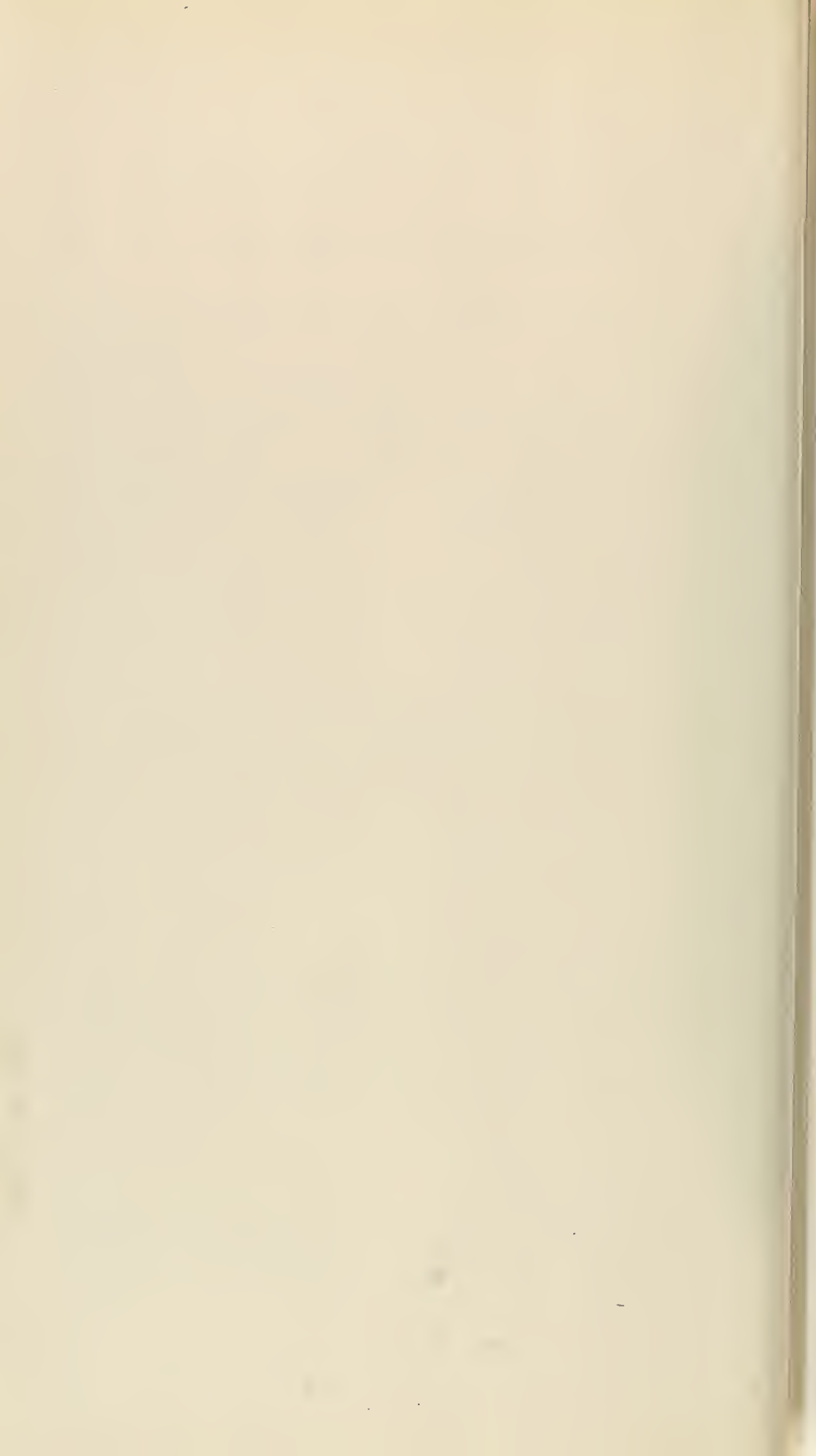
NOT VOTING: Commissioner Murphy

RECOMMENDATION OF THE CHIEF OF POLICE THAT DEPUTY CHIEF DONALD L. TAYLOR, FIELD OPERATIONS BUREAU, BE GRANTED PERMISSION TO ATTEND A WORKSHOP ON POLICE MANPOWER AND RESOURCES MANAGEMENT TO BE CONDUCTED BY THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, IN DENVER, COLORADO, FROM MARCH 14, 1977 TO MARCH 18, 1977, INCLUSIVE - DELETED FROM CALENDAR.

RESOLUTION NO. 64-77

AUTHORIZING ATTENDANCE OF LIEUTENANT ARTHUR D. O'KEEFE, CRIME SPECIFIC TASK FORCE, AT AN UNUSUAL INCIDENTS AND TACTICS TRAINING COURSE AT THE COLLEGE OF THE REDWOODS, EUREKA, CALIFORNIA, FROM FEBRUARY 22, 1977 TO FEBRUARY 24, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Arthur D. O'Keefe,



Crime Specific Task Force, be detailed to attend an Unusual Incidents and Tactics Training Course at the College of the Redwoods, Eureka, California, from February 22, 1977 to February 24, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Arthur D. O'Keefe, in a sum not to exceed \$170.00 in attending this course, will be defrayed by the Police Department's Police Officer's Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 65-77

AUTHORIZING ATTENDANCE OF POLICE OFFICERS JAMES E. LEACH AND VICKI QUINN AT AN ADVANCED HOSTAGE NEGOTIATION TRAINING COURSE AT SAN JOSE, CALIFORNIA, FROM FEBRUARY 18, 1977 TO FEBRUARY 20, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officers James E. Leach and Vicki Quinn be detailed to attend an Advanced Hostage Negotiation Training Course at San Jose State University, San Jose, California, from February 18, 1977 to February 20, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officers James E. Leach and Vicki Quinn in a sum not to exceed \$191.00 each in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

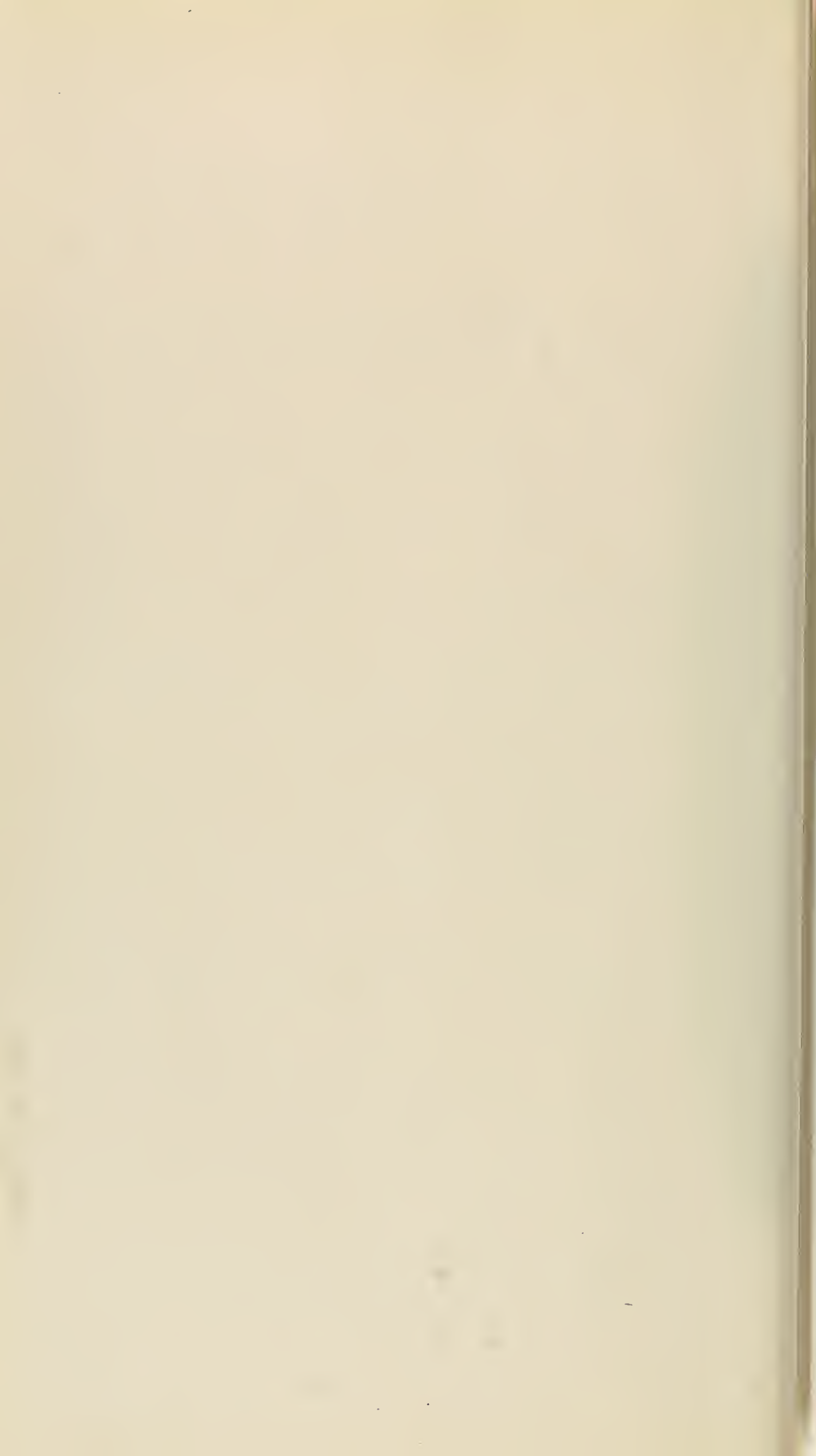
AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 67-77

AUTHORIZING ATTENDANCE OF TWENTY-FIVE FIELD TRAINING OFFICERS TO ATTEND FIVE FORTY-HOUR SEMINARS AT A RETREAT FACILITY IN WATSONVILLE, CALIFORNIA.

RESOLVED, that the recommendation of the



Chief of Police that twenty-five field training officers be detailed to attend five forty-hour seminars at a retreat facility in Watsonville, California, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred in conducting these seminars, in a sum not to exceed \$36,050.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 66-77

AUTHORIZING ATTENDANCE OF POLICE OFFICER TIMOTHY L. SIMMONS, INTELLIGENCE UNIT, AT A CONFERENCE IN VICTORIA, BRITISH COLUMBIA, ON FEBRUARY 17, 1977 AND FEBRUARY 18, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officer Timothy L. Simmons, Intelligence Unit, be detailed to attend a Conference in Victoria, British Columbia, on February 17, 1977 and February 18, 1977, inclusive, be, and the same is hereby approved; and be it further

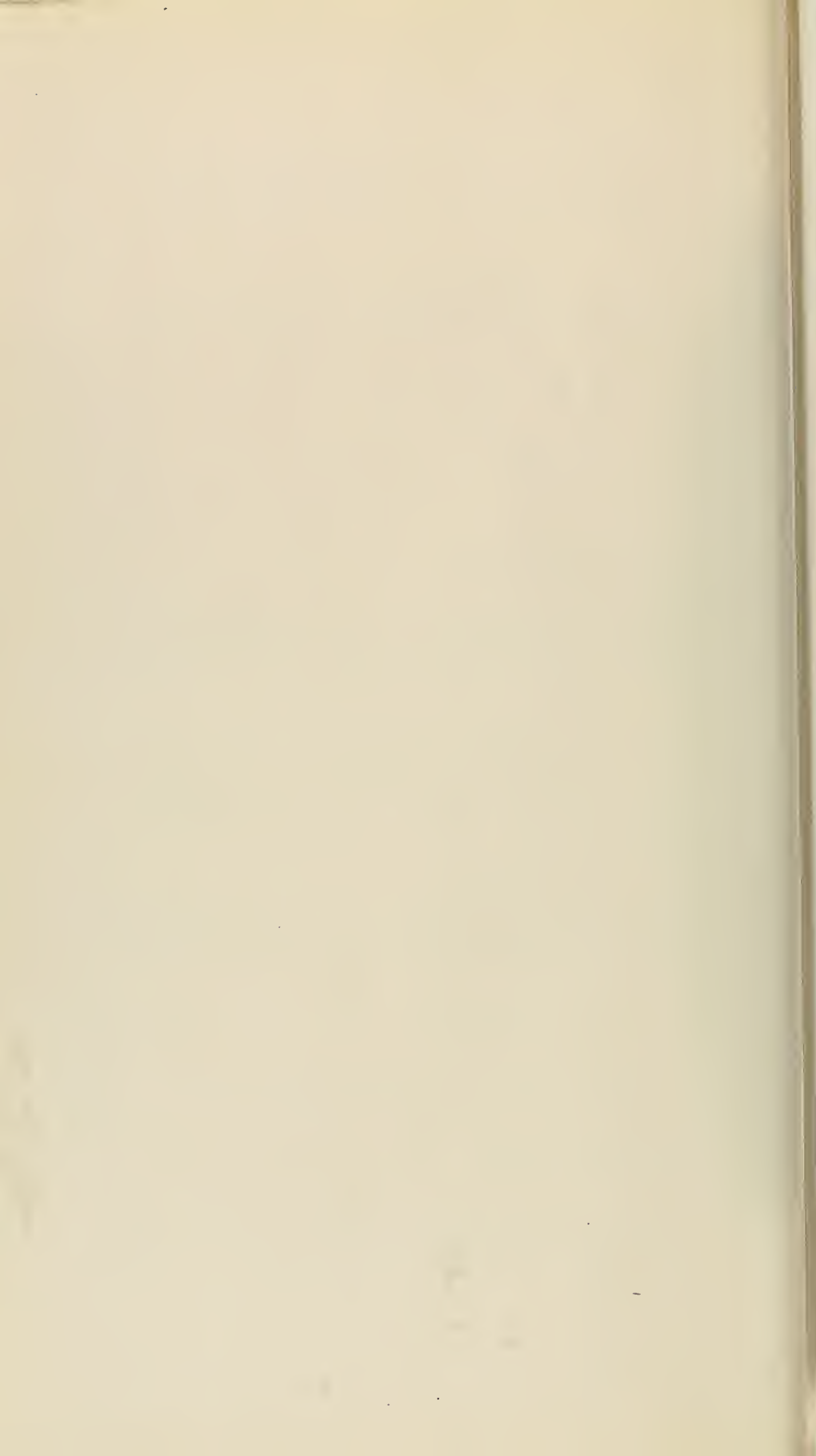
RESOLVED, that expenses incurred by Police Officer Timothy L. Simmons, Intelligence Unit, in a sum not to exceed \$242.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, February 8, 1977 at 2400 hours as follows:



PREVIOUS WEEK

Daily average for the week sick	80	78
Daily average for the week disabled	<u>87</u>	<u>98</u>
TOTALS	167	176

This is a decrease of nine (9) members off duty daily from the previous week.

Daily percentage for the week sick	4.02
Daily percentage for the week disabled	<u>5.30</u>
TOTAL	9.32

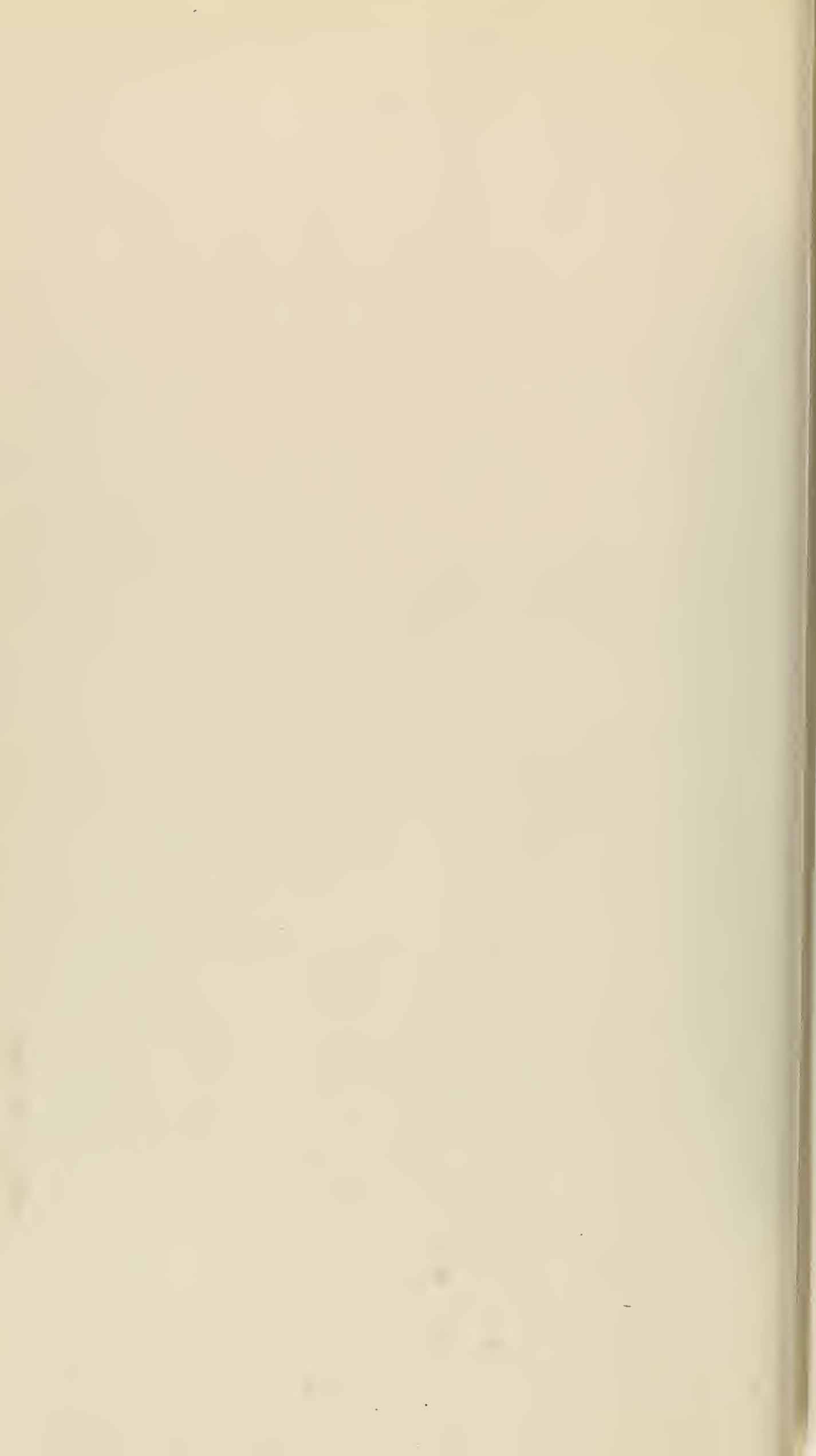
Disabled at start of week	96
Started during the week	13
Returned during the week	22
Disabled at end of week	87
Net Gain or Loss	-9

SICK AND DISABLED FOR THE WEEK ENDING SATURDAY, FEBRUARY 7, 1976 at 2400 HOURS

Daily average for the week sick	57
Daily average for the week disabled	<u>94</u>
TOTAL	151
Daily percentage for the week sick	2.94
Daily percentage for the week disabled	<u>5.05</u>
TOTAL	7.99

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY, JANUARY 18, 1977 AT 2400 HOURS

Daily average for the week sick	80
Daily average for the week disabled	<u>112</u>
TOTAL	192
Daily percentage for the week sick	4.03
Daily percentage for the week disabled	<u>6.79</u>
TOTAL	10.82

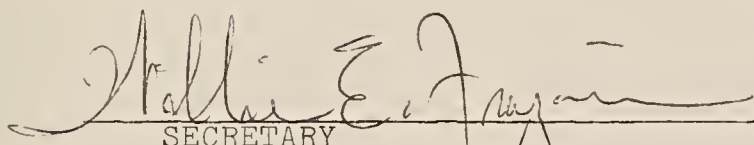


The report was ordered filed.

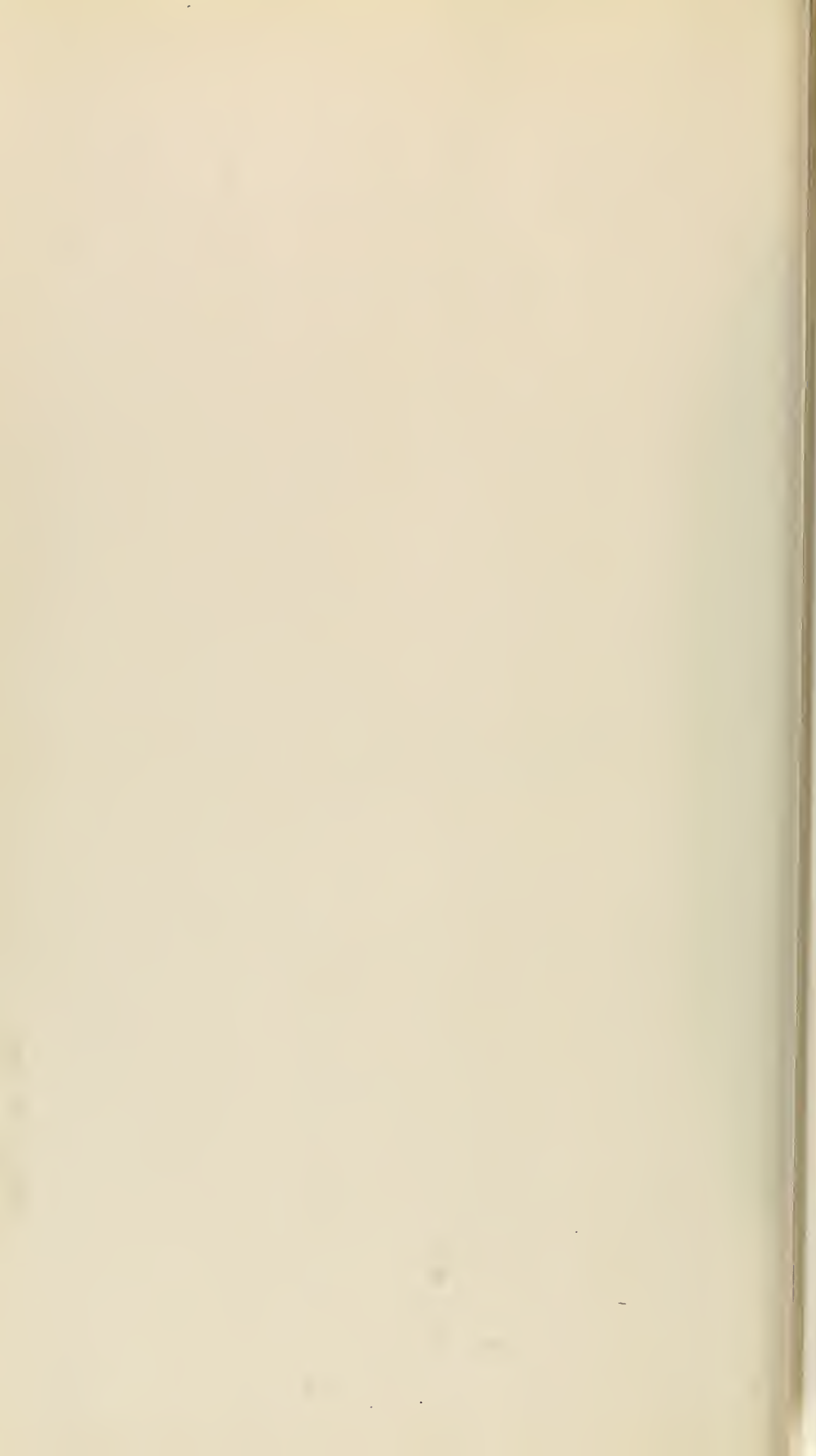
AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

The Commission then adjourned its meeting.



SECRETARY



23 FEBRUARY 1977

REGULAR MEETING

Minutes

The ~~Police~~ Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 23, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Siggins

ABSENT: Commissioner Murphy

DOCUMENTS

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Commissioner Siggins presiding.

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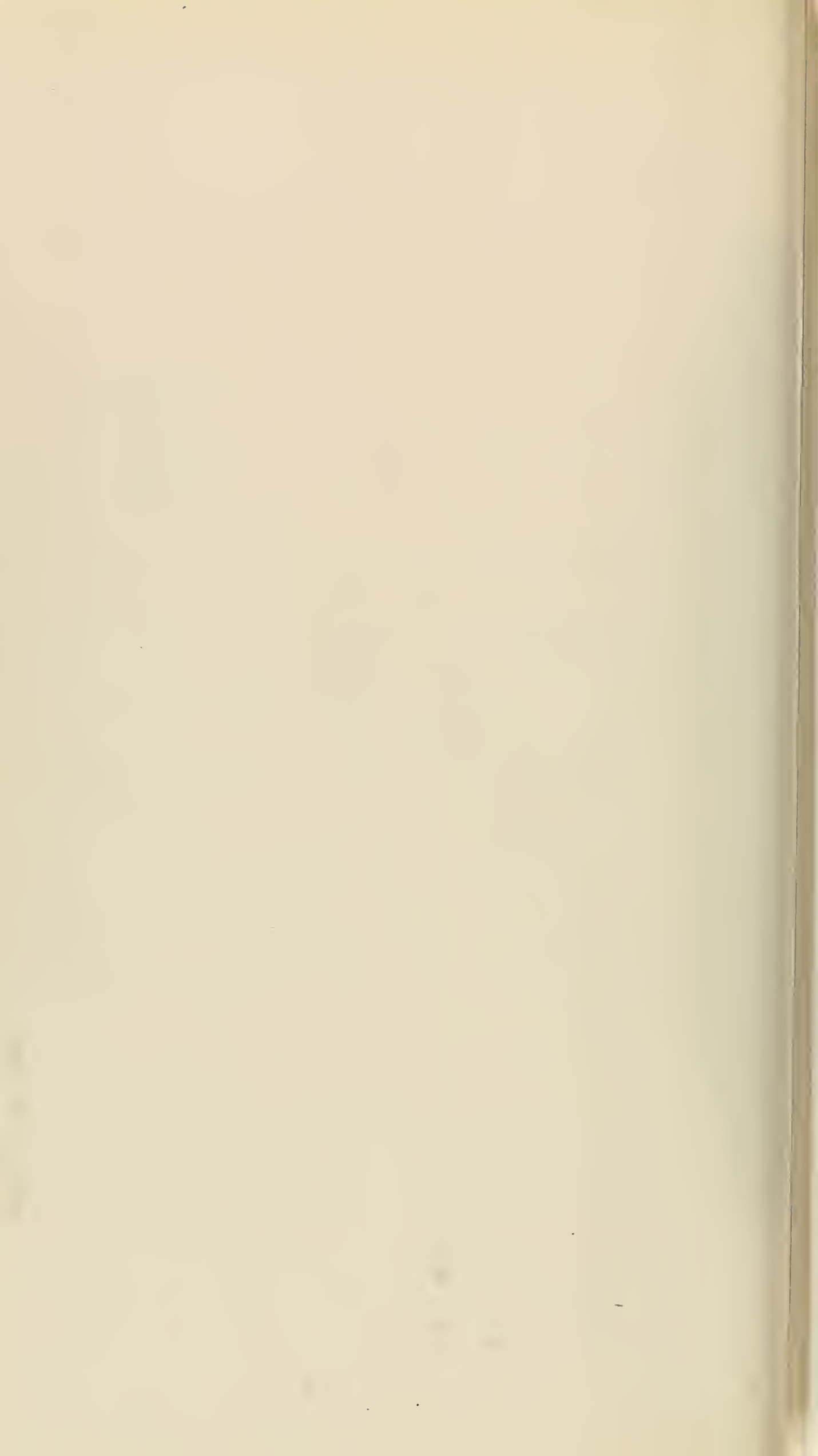
PERMISSION TO APPLY FOR AND ACCEPT A GRANT ENTITLED
"MUNI SECURITY PROJECT."

Chief Gain stated to the Commission that the Department had been working with the General Manager of the Municipal Railway System, with the Mayor's Office and with certain members of the Board of Supervisors to develop an acceptable and effective Muni Security Program. He presented the Commissioners with written documentation on the Grant Proposal and then had Deputy Chief Mullen review its contents. Deputy Chief Millen stated that he felt this plan was better than earlier plans to augment the existing Muni Security Force. He stated that one of the ways that this plan differs from the previous program is that in the past, transit guards were just guards. They were undertrained, ill equipped, and supervised irregularly by different officers of the police department. He stated this program provides for six weeks of training including customer relations on the Muni up to the level where they can be actually sworn in by the Chief as limited peace officers. They will have arrest powers and hence the change in designation from guards to Security Officers. Further discussion was held after which the following Resolution was adopted:

RESOLUTION NO. 83-77

APPROVING AND AUTHORIZING THE DEPARTMENT OF POLICE
UNDER APPLICABLE PROVISIONS OF THE CITY CHARTER, TO
APPLY FOR, ACCEPT AND ADMINISTER A GRANT OF FUNDS
FROM THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
ENTITLED "MUNI SECURITY PROJECT."

BE IT RESOLVED, that the Police Commission of the City and County of San Francisco does hereby approve and authorize the Department of Police, under applicable provisions of the City Charter, to apply for, accept and administer a grant of funds from the Law Enforcement



Assistance Administration; as follows:

\$250,000 For the purpose of acquiring personnel and equipment in establishing an adequate security patrol for the San Francisco Municipal Railway System.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

Chief Gain then stated that he would like to commend Deputy Chief Mullen, Deputy Chief Taylor, Lieutenant Lennon and other Staff members who worked Friday, Saturday, Sunday and Monday, a Holiday, to put this proposal together. They did an excellent job.

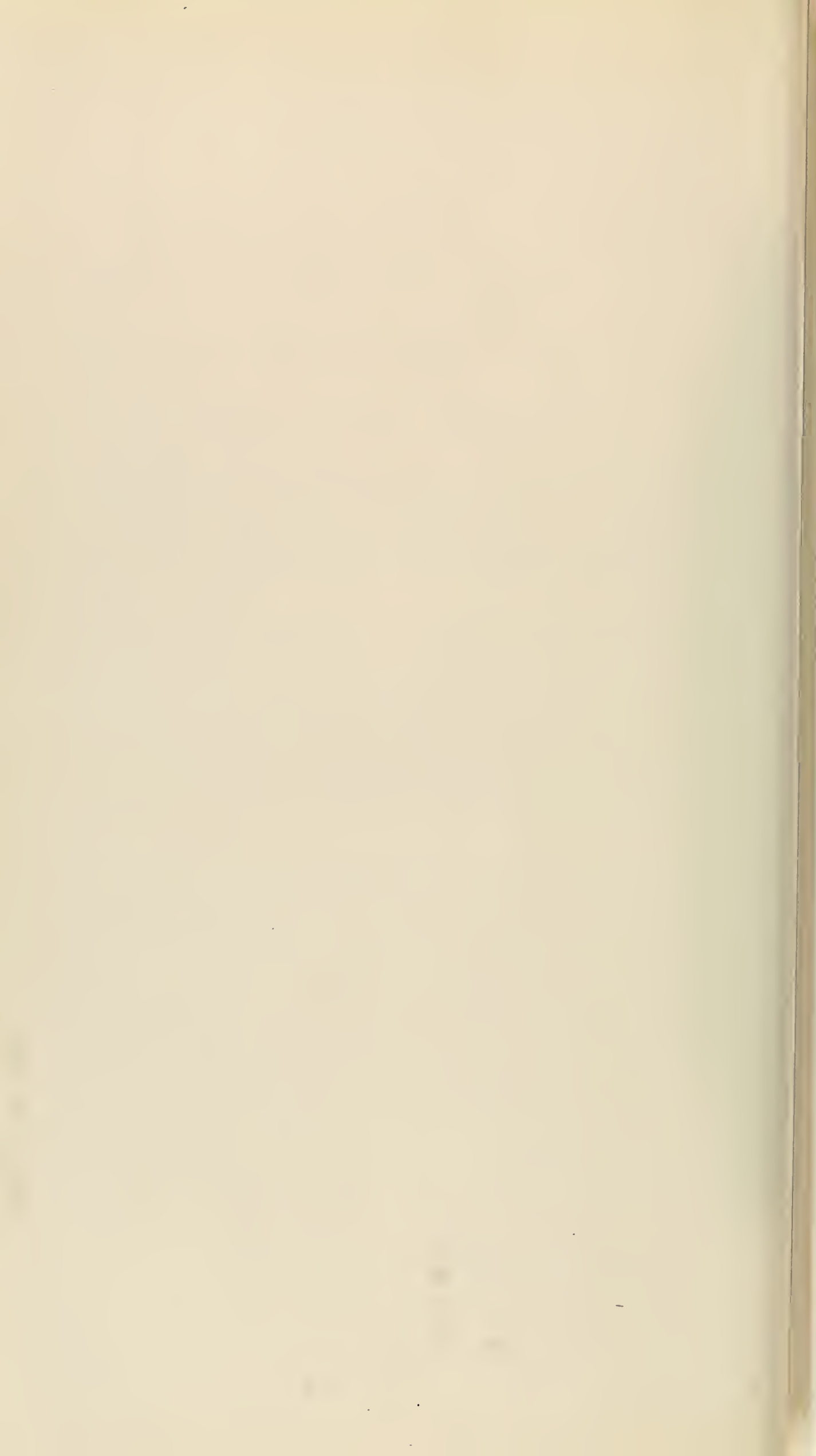
CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, Members of the Commission, we submitted to you in writing a report due to you in regards to preferential appointments on the basis of language skills. I submitted that letter to you, it was compiled by Officer DeFilippo." The Chief then asked Officer DeFilippo to go over the report with the Commissioners.

Officer DeFilippo: "The basic question that was presented by the Commission was whether or not the Chief possessed the ability to go to the various positions on the eligible list at the entry level and accelerate the hiring of those persons who had bi-lingual skills. Now, if you recall, there was a verbal representation by one of the Deputy City Attorney's and he felt this process would be available under the exempt waiver. A subsequent written opinion from the City Attorney's Office seemed to have changed that situation. The exempt waiver provides that if a person who is next ranking on the list would agree to waive his appointment to allow someone else to be appointed ahead of him then that would not be counted against him as a waiver. The chances of having someone waive his position on this list would be almost nil. So the exempt waiver procedure to get the bi-lingual persons in off the list other than their rank order would not be available."

Commissioner Siggins: "That is because of at the time the examination was announced it was not a part of the scope, is that correct?"

Officer DeFilippo: "That is correct. We did have



that same type of process in the examination given for Communications Dispatchers about two (2) years ago and the notice did contain the provisions that persons with bi-lingual skills would be given preference. In that case several persons were taken out of order who possessed the bi-lingual skills, but in the announcement for the Q2 entry level there were no such provisions."

Commissioner Ciani had asked whether or not an additional test could be given to establish another list now?

Officer DeFilippo responded that it is the opinion of the Civil Service and the City Attorney that one, in fact, could be given but no appointments could be made off that list until the current list is either exhausted or expired.

Commissioner Ciani: "Is that a written opinion of the City Attorney?"

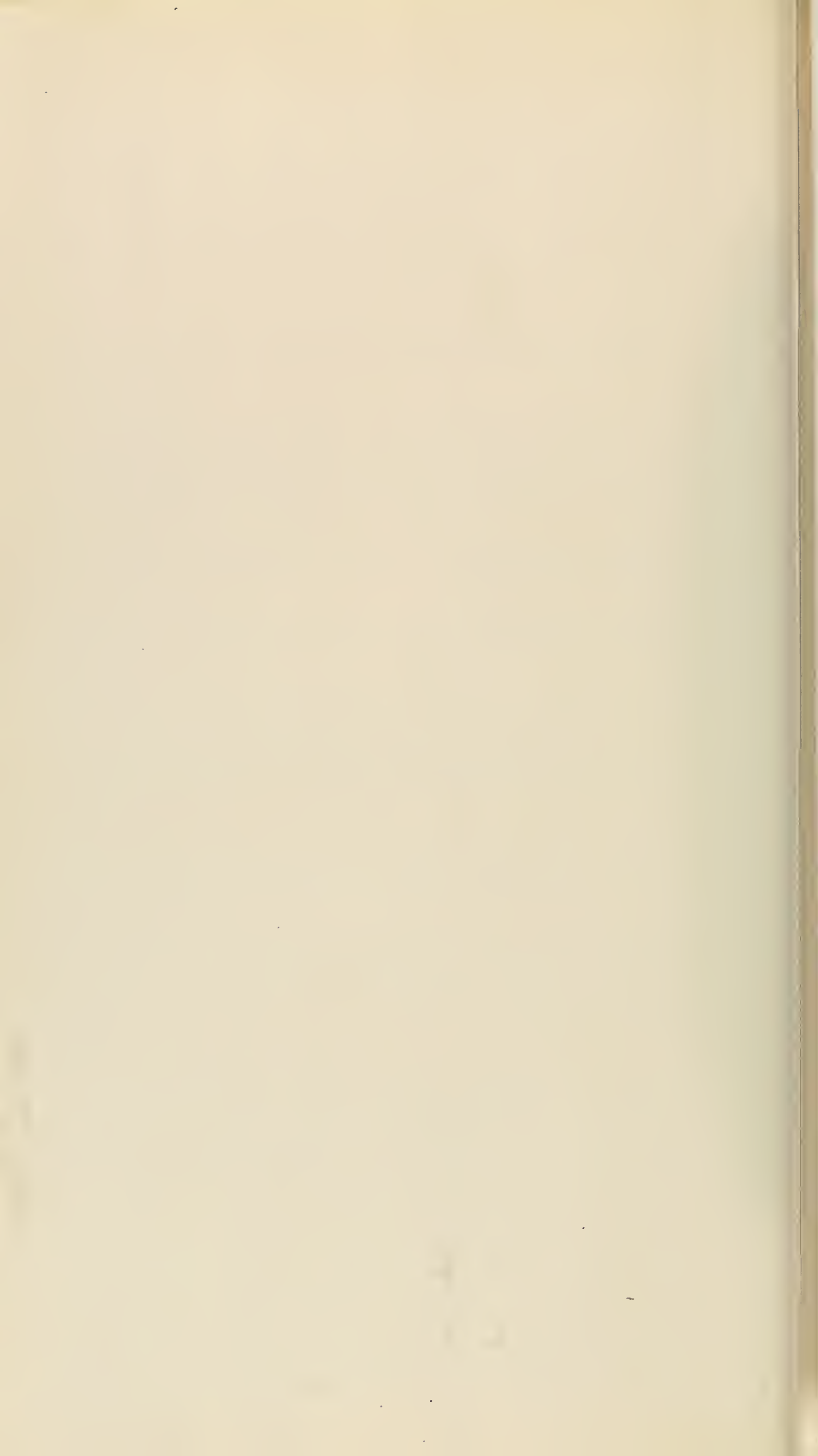
Officer DeFilippo: "No, that is a verbal opinion, Commissioner."

Commissioner Ciani: "I thought we were going to get a formal opinion on that. I don't understand why you would be allowed to give a test and not be able to make appointments from it, if you could establish a separate classification pursuant to which you give the test."

Officer DeFilippo: "Well, it was my understanding Commissioner, your question was whether or not a person could be appointed a Q2 Police Officer."

Commissioner Ciani: "Well call them Q3 or call them something else. They would be Police Officers who would be qualified in every respect as other police officers are and would also be required to have language skills."

Officer DeFilippo: "Well, we could request a City Attorney's Opinion on that particular aspect. Now the Chief's letter does discuss two other possibilities with which the Commission might avail upon itself. The first would be a request that the Mayor find that an emergency exists because of the lack of bi-lingual skills and then present that to the Board of Supervisors and ask them to concur in that opinion and then give him the authority to abandon the Charter provisions requiring the rank order appointments and make the appointments off the list on the basis of bi-lingual skills. The second alternative is the commission could request that the Civil Service Commission direct the City Attorney to present the issue to the Federal Court who has jurisdiction in the matter because of the pending law suit and see if the Federal Court can supercede the suspending of the Charter provisions."



Commissioner Sirrins: "I would hate to go ahead with this if the list did not contain a significant amount of bi-lingual persons."

Chief Gain: "The kind we had in mind were those who are Chinese, who were actually given language tests to make sure that they could speak Chinese."

Commissioner Gallegos: "Certainly we need to assess that list and we need to assess our current capabilities and where we have personnel assigned in these various areas. And I think we need to find out, for example, from the various community groups exactly where they think there are gaps. I think the Chinese Affirmative Action did point out where there might be gaps according to shifts and so on and we might just invite their comments at an early date so that we can kind of resolve it rather than move for any one of the alternatives presented to us."

Commissioner Ciani: "Well, my concern is that we not slow the thing down by just sending this letter out and passing the buck. I think we ought to continue, concurrently examining the list."

Chief Gain: "We will examine the list to the extent that we can."

Commissioner Gallegos: "I would hope that we could get an early reply."

Chief Gain: "Let's try to get a reply for next week. We will assess that list, talk to Civil Service and find out who they are, or how many there may be, Spanish speaking, etc."

Commissioner Ciani: "And we will also pursue the City Attorney's opinion on the possibility of the separate test?"

Officer DeFilippo: "Very well."

LIEUTENANT FRANK JORDAN RE: HIRING PROCEDURES FOR
CITIZENS SAFETY PROJECT.

Lieutenant Frank Jordan stated to the Commission that he had with him today the civilian coordinator from the Citizens Safety Project, Mr. Henry Izumizaki, who will also speak. He stated that the selection process started with newspaper advertisements in the lanai sections of the Examiner and Chronicle and then individual letters were sent to neighborhood organizations within the districts. They then screened applicants through a coalition of neighborhood organizations within that district and finally the finalists were further screened by an oral board by the Citizens Safety Task Force Screening Committee which is made



up of the Mayor's Criminal Justice Council. He stated also that he had a list of the names of the people on that particular screening committee. After reading the names, he then said that Mr. Izumizaki may want to further elaborate. Mr. Izumizaki stated that he would just say that in certain areas that the process varies depending on the exuberance of the people in the neighborhood. Visitation Valley, for instance, he said handle theirs through an 11 person advisory committee who selects four from those persons to give oral interviews. Then the Valley selected four people to be referred to the Mayor's Criminal Justice Council. In the Mission, 125 letters went out and the result was an eleven (11) person screening and advisory committee. That Committee screened 15 applicants and presented three for consideration to the Mayor's Criminal Justice Council. That is an example of what is going on. Obviously, there are a number of other preferences involved in the screening of applicants and I think that San Francisco residency is a pre-requisite. We are looking, obviously, for the most qualified person. We are very definitely looking for minority representation, women and bi-lingual skills."

Lieutenant Jordan: "The thing that I would like to add is that now we are presently screening applicants for four districts. The outlying districts of the Richmond, Taraval, Ingleside and Park. Those are the four that are left."

Commissioner Ciani: "How much do you pay these persons?"

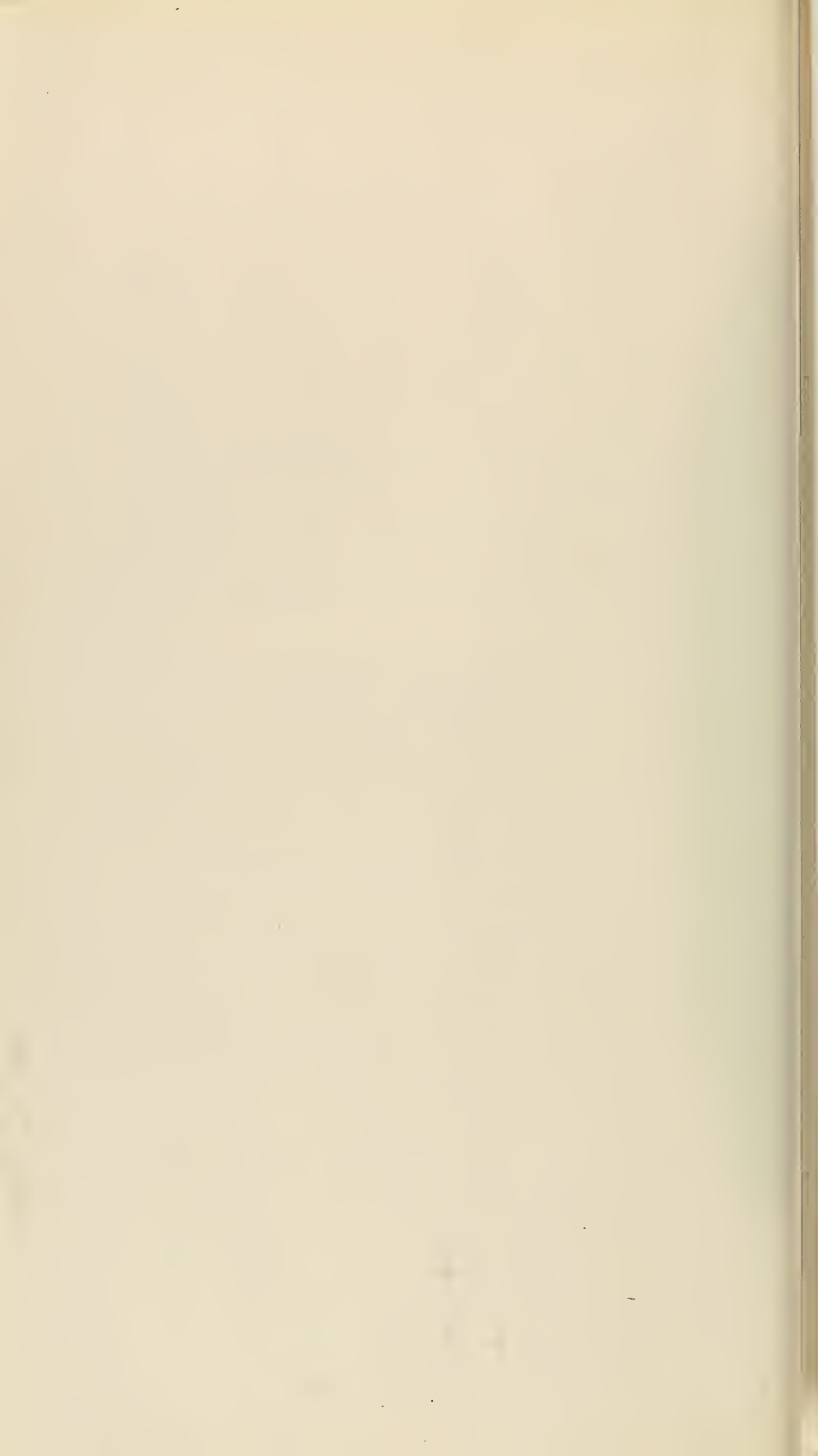
Lieutenant Jordan: "Well, the neighborhood coordinator is \$13,000 per year."

Commissioner Gallegos: "I think that the process is commendable because it is also a way of helping the public to get involved and the results are speaking for themselves."

Commissioner Siggins then thanked Lieutenant Jordan and Mr. Izumizaki for their presentation.

RECOMMENDATIONS OF THE AWARDS COMMITTEE

Commissioner Gallegos: "I would like to recommend to the Commission approval of the officers named for these awards with one exception and for that one I would like to recommend an upgrading. There is one particular application which was voted to receive a Silver Medal Award and based upon the closeness of the vote, I am recommending that the Commission increase that Award to a Gold. The



situation is such that I think it really deserves that kind of reconsideration by the Commission and it is not a very long statement for the nomination, so I would like to have Sergeant Frazier read it."

Commissioner Ciani: "Could I understand first what the vote was for silver as opposed to gold?"

Commissioner Gallegos: "There was a vote for 9 gold and 6 silver. Of the 15 votes cast the award as it turned out was to have been a Silver Award and I am recommending that you upgrade it to a Gold. Would you read it Sergeant Frazier so that we could get some appreciation of the situation."

After the reading of the application, Commissioner Gallegos stated: "These two particular officers had only approximately two weeks of training in diffusing bombs and there were grave risk involved. They certainly saved the lives of a lot of innocent people as well as the preservation of property."

The Commission then voted the approval of the awards as follows:

RESOLUTION NO. 76-77

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor - Gold Medal, Silver Medal, Bronze Medal, and Meritorious Conduct Awards under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department as approved by the Awards Committee on Friday, February 18, 1977:

*Assistant Inspector George E. Matelli...Gold Medal of Valor

*Assistant Inspector James J. Molinari...Gold Medal of Valor

Police Officer Larry A. Piol.....Silver Medal of Valor

Sergeant Arthur W. Gerrans.....Bronze Medal of Valor

Sergeant Charles E. Hoenisch.....Bronze Medal of Valor

Assistant Inspector Anatole Balmy.....Bronze Medal of Valor

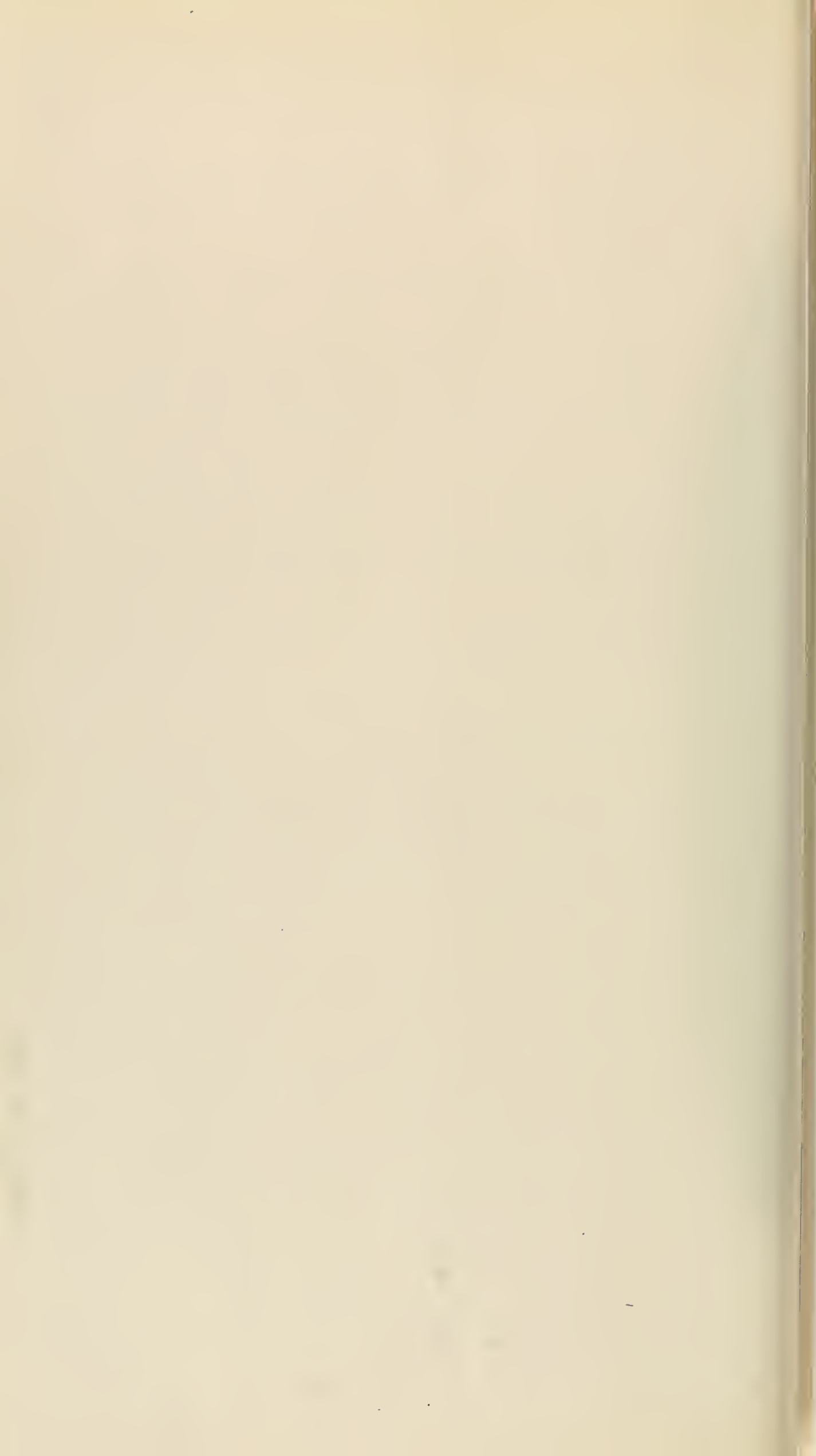
Assistant Inspector Edward J. Dennis....Bronze Medal of Valor

Assistant Inspector Edwin M. Kenney.....Bronze Medal of Valor

Police Officer Gregory A. Beatty.....Bronze Medal of Valor

Police Officer Charles M. Collins.....Bronze Medal of Valor

Police Officer Dennis M. Costanzo.....Bronze Medal of Valor



Police Officer William P. Dyer.....Bronze Medal of Valor
Police Officer Daniel J. Foley.....Bronze Medal of Valor
Police Officer Robert J. Geary.....Bronze Medal of Valor
Police Officer Gabriel P. Harp.....Bronze Medal of Valor
Police Officer William F. Kidd.....Bronze Medal of Valor
Police Officer Ross E. Laflin.....Bronze Medal of Valor
Police Officer Peter R. Maloney....Bronze Medal of Valor
Police Officer Vincent C. Neeson...Bronze Medal of Valor
Police Officer Robert J. Rodriguez.Bronze Medal of Valor
Police Officer David R. Seyler.....Bronze Medal of Valor
Police Officer John A. Sterling....Bronze Medal of Valor
Police Officer Scott Thomas(resign-
ed)..Bronze Medal of Valor
Police Officer Kenneth J. Waite....Bronze Medal of Valor
Police Officer Patrick J.White.....Bronze Medal of Valor
Inspector James P. Deasy.....Meritorious Conduct Award
Inspector Richard R. Duane.....Meritorious Conduct Award
Inspector Edward J. ERdelatz.....Meritorious Conduct Award
Inspector Frank J. Falzon.....Meritorious Conduct Award
Inspector Joseph D. O'Sullivan -
(resigned).....Meritorious Conduct Award
Police Officer Michael C. Coffey,..Meritorious Conduct Award
Police Officer Reagan E. Howe.....Meritorious Conduct Award
Police Officer Steven R. Silvers...Meritorious Conduct Award
Police Officer Joseph L. Vigil.....Meritorious Conduct Award

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

*Changed from Silver Medal of Valor to Gold Medal of
Valor on recommendation of the Police Commission.

The Commission then set March 16th as the date to pre-
sent Medals and Certificates to the above-named officers.



RESOLUTION NO. 17-77

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT.

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Friday, February 18, 1977; and

WHEREAS, Chief of Police Charles R. Gain has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Assistant Inspectors George E. Matelli and James J. Molinari, be, and they are hereby awarded Gold Medals of Valor and granted a reward of \$200.00 each as provided for under said section of the Charter; and be it further

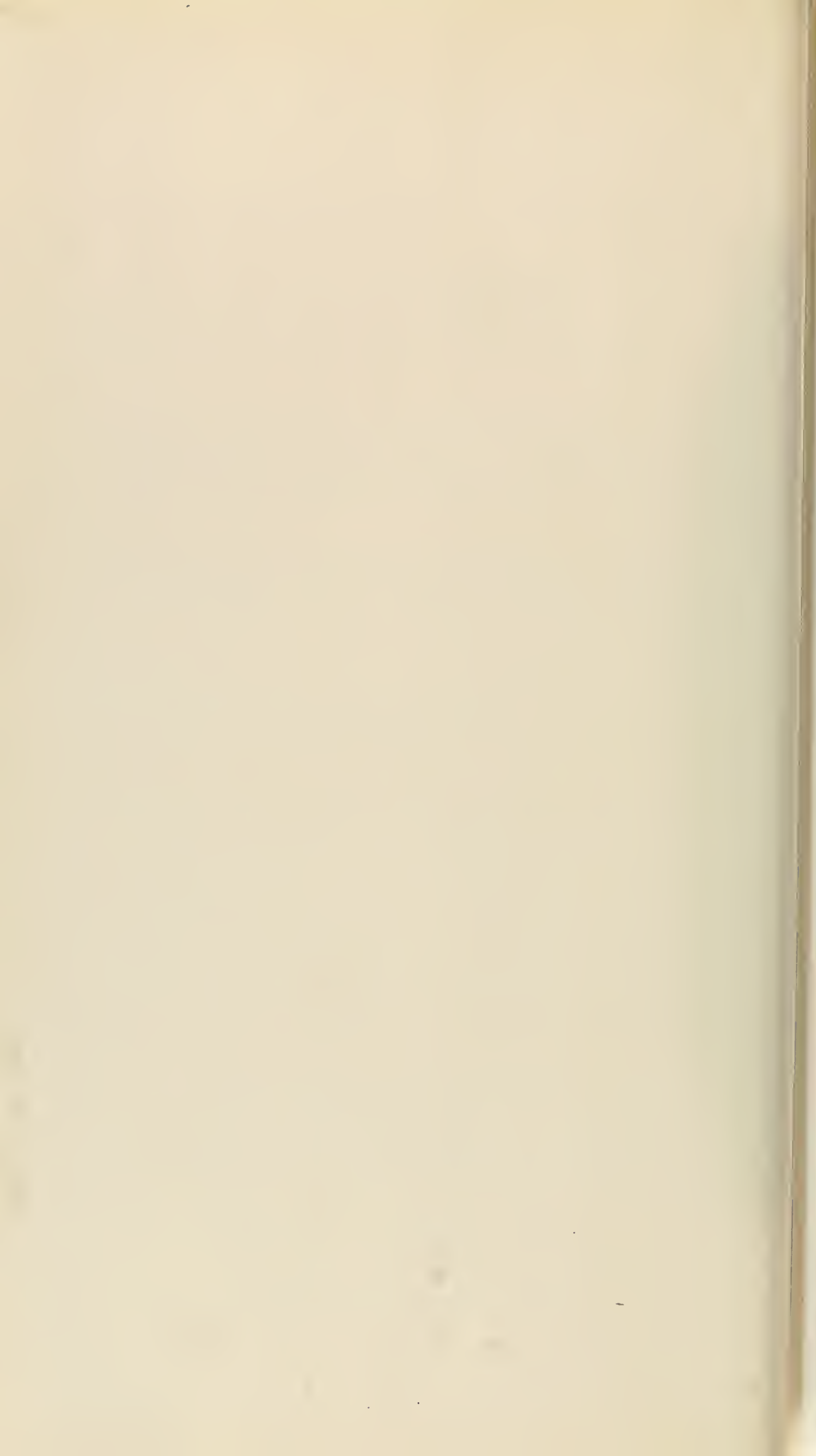
RESOLVED, that Police Officer Larry A. Piol, be, and he is hereby awarded a Silver Medal of Valor and granted a reward of \$100.00 as provided for under said section of the Charter; and be it further

RESOLVED, that Sergeant Arthur W. Gerrans and Sergeant Charles E. Hoenisch, Assistant Inspectors Anatole Balmy, Edward J. Dennis, and Edwin M. Kenney, and Police Officers Gregory A. Beatty, Charles M. Collins, Dennis M. Costanzo, William P. Dyer, Daniel J. Foley, Robert J. Geary, Gabriel P. Harp, William F. Kidd, Ross E. Laflin, Peter R. Maloney, Vincent C. Neeson, Robert J. Rodriguez, David R. Seyler, John A. Sterling, Scott Thomas (resigned), Kenneth J. Waite, and Patrick J. White, be, and they are hereby awarded Bronze Medals of Valor and granted a reward of \$50.00 each as provided for under said section of the Charter; and be it further

RESOLVED, that Inspectors James P. Deasy, Richard R. Duane, Edward J. Erdelatz, Frank J. Falzon, Michael C. Coffey, Reagan E. Howe, Steven R. Silvers, and Joseph L. Vigil, be, and they are hereby awarded Meritorious Conduct Awards, and granted a reward of \$50.00 each as provided for under said section of the Charter.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy



RESOLUTION NO. 78-77

PATROL SPECIAL OFFICER CARL E. SCHADE - REVOKED

WHEREAS, Patrol Special Officer Carl E. Schade, due to unaviodable illness was unable to appear before the Police Commission, granted full Power of Attorney to Patrol Special Officer John E. Bain to represent him at the Police Commission hearing; therefore be it

RESOLVED, that the request of Patrol Special Officer Carl E. Schade to have Patrol Special Officer John E. Bain represent him with full Power of Attorney at the Police Commission hearing, be, and the same is hereby approved; and be it further

RESOLVED, that the appointment of Patrol Special Officer Carl E. Schade, owner of Beat No. 105, Richmond Police District, be, and the same is hereby revoked effective February 13, 1977, he having sold his beat to Patrol Special Officer William R. Barnhart.

AYES: Commissioners Ciani, Gallegos,
Hall, Siggins

NOT VOTING: Commissioner Murphy

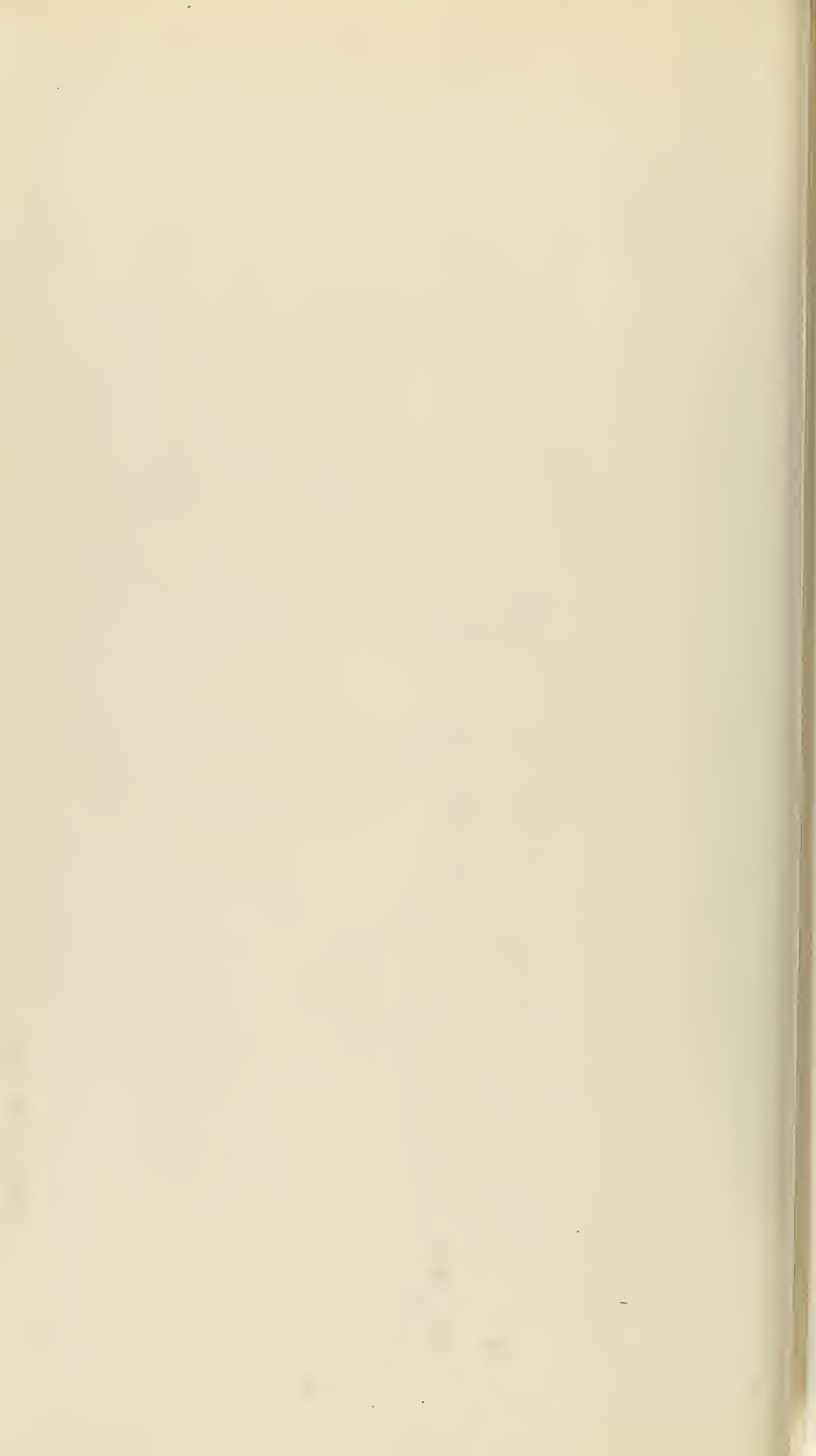
RESOLUTION NO. 79-77

PATROL SPECIAL OFFICER WILLIAM R. BARNHART -
APPROVED

RESOLVED, that William R. Barnhart, be, and he is hereby appointed Patrol Special Officer for Beat No. 105, Richmond Police District; said appointment effective February 23, 1977, he having purchased Beat No. 105, Richmond Police District, from Carl E. Schade.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy



BIBLIOGRAPHY FOR PROMOTIVE EXAMINATION FOR
LIEUTENANT OF POLICE

Chief Gain: "Mr. President, Members of the Commission, just to review this briefly, we submitted; the Commission submitted a Bibliography to the Civil Service Commission and that Bibliography was rejected by the Civil Service Commission and sent back to the Police Commission for reconsideration. As I related last week the President of the Civil Service Commission stated that upon reconsideration, that the Commission would be willing to accept the Bibliography as had been submitted by the Police Commission or any reduced number of books. That I was to confer with Civil Service and report back tonight. I conferred with Civil Service Staff and Mr. John DeSoto related to me after reviewing the Bibliography as I requested, that the number of books on the subject matter were appropriate in his professional judgment for a Lieutenant's Examination. Therefore, I recommend to the Commission to direct the Secretary of the Commission to prepare a letter to the Civil Service Commission stating that the Commission wants the Bibliography as submitted adopted by the Civil Service Commission."

Further discussion was held on the matter after which the Commission voted to approve the list and resubmit it to the Civil Service Commission.

RESOLUTION NO. 80-77

ASSISTANT INSPECTOR PATRICK A. WOLFE, BUREAU OF
INSPECTORS - FIRST AMENDED COMPLAINT

WHEREAS, a First Amended Complaint was filed against Assistant Inspector Patrick A. Wolfe, as follows:

SPECIFICATION NO. 1

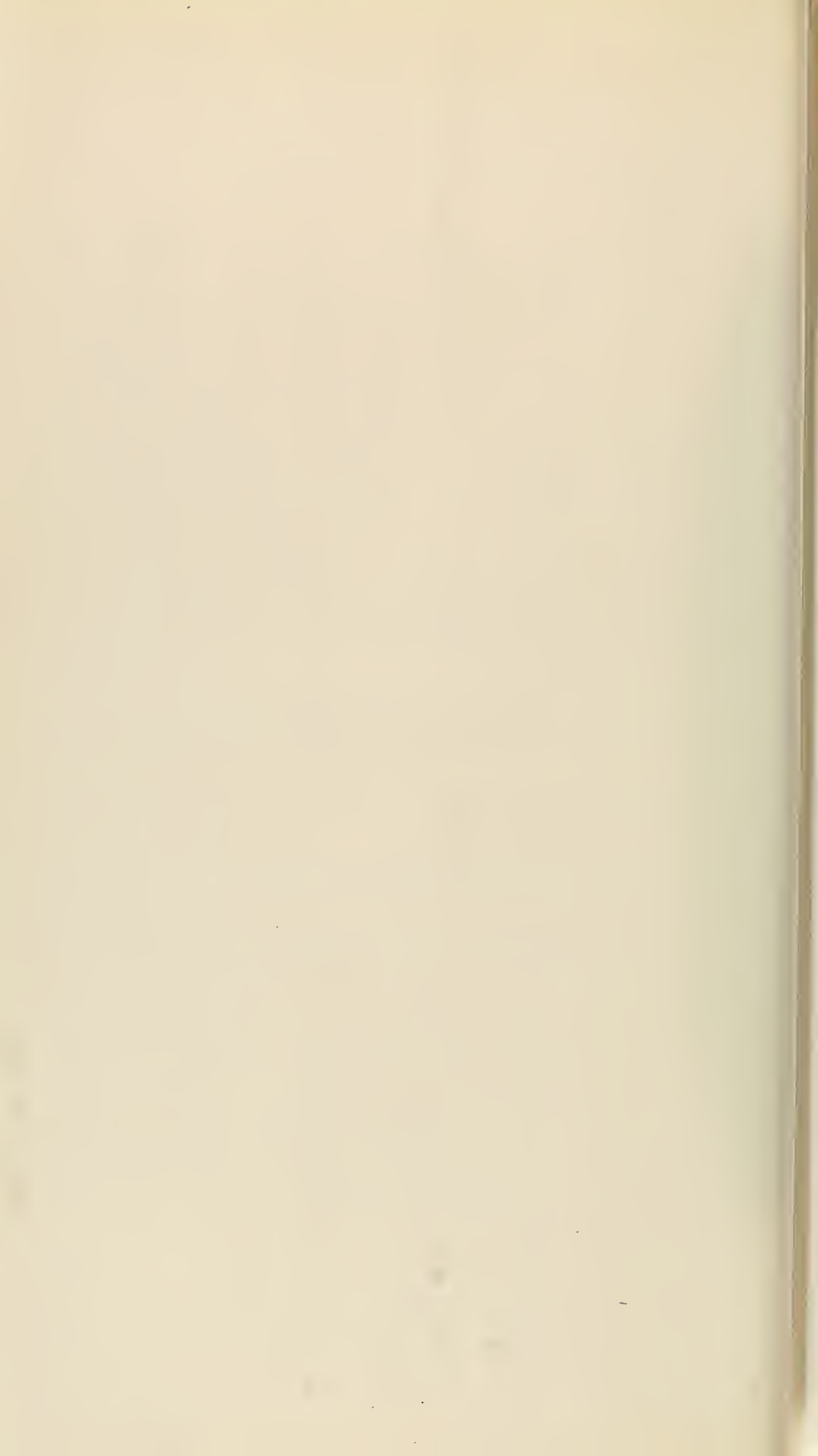
Deleted in its entirety.

SPECIFICATION NO.2 (ADDED)

Alleging drinking intoxicating beverages while on duty. (Violation of Section 2.125 of the Rules and Procedures.)

SPECIFICATION NO. 3 (ADDED)

Alleging a false answer to a Superior Officer. (Violation of Section 2.49 of the Rules and Procedures.)



SPECIFICATION NO. 4 (ADDED)

Alleging Failure to answer questions truthfully while under oath. (Violation of Section 2.13 of the Rules and Procedures.)

by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Assistant Inspector Patrick A. Wolfe, Bureau of Inspectors, be, and the same is hereby set for Wednesday, March 9, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 81-77

REQUEST OF TRAFFIC CONTROLMAN BRUTES BRENT, TRAFFIC BUREAU, TO APPEAL FIVE (5) WORKING DAYS SUSPENSION.

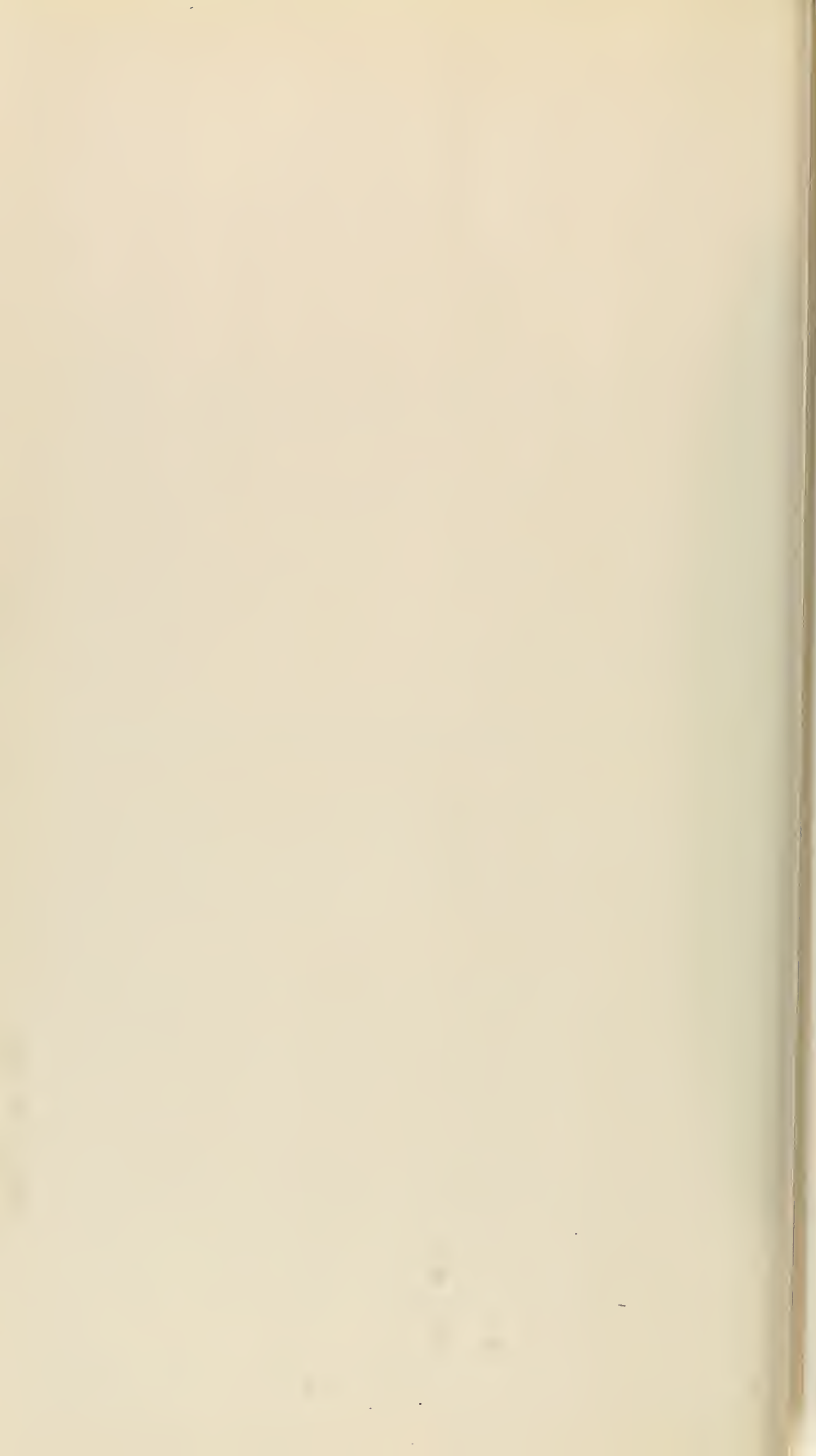
WHEREAS, a communication was received from Charles R. Gain, Chief of Police, officially notifying the Police Commission of the suspension of Traffic Controlman Brutes Brent, Traffic Bureau, for a period of five (5) working days, effective at 0001 hours on Wednesday, February 16, 1977, and terminating at 0001 hours, Wednesday, February 23, 1977; and

WHEREAS, a communication was received from Traffic Controlman Brutes Brent, Traffic Bureau, requesting a hearing before the Police Commission in accordance with Section 5.160 of the Rules and Procedures of the San Francisco Police Department, to appeal his disciplinary suspension for a period of five (5) working days by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the request of Traffic Controlman Brutes Brent, Traffic Bureau, for a hearing before the Police Commission to appeal his suspension by Charles R. Gain, Chief of Police, for a period of five (5) working days, effective at 0001 hours, Wednesday, February 16, 1977, and terminating at 0001 hours, Wednesday, February 23, 1977, be, and the same is hereby set for Wednesday, March 16, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy



RESOLUTION NO. 82-77

HEARING OF SENIOR CLERK-TYPIST JOANNE COYNE, BUREAU
OF SUPPORT SERVICES.

WHEREAS, the hearing of Senior Clerk-Typist Joanne Coyne, Bureau of Support Services, was called, it having been set for this date; and

WHEREAS, it was requested by Sergeant David P. Roche, Legal Officer, that the hearing for Senior Clerk-Typist Joanne Coyne, be continued to Wednesday, March 2, 1977, as we were unable to contact her due to a discrepancy in her address; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Senior Clerk-Typist Joanne Coyne, is set for Wednesday, March 2, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

180 STILLMAN STREET - SAN FRANCISCO CASH REGISTER CO.

- a) At 180 Stillman Street, install a 40' yellow zone, to extend from 100' - 140' east of 4th Street.

473 BRYANT STREET - ACE VENETIAN BLIND CO.

- a) At 473 Bryant Street, revoke 24' yellow zone, and install a 24' green zone, to extend from 7' - 31' west of east building line.

3318 - 20th STREET - GEORGE REHN PLUMBING COMPANY

- a) At 3318 - 20th Street, revoke existing 18' green zone, and install 22' yellow



zone, to extend from 94' -
116' west of east building line.

800 TARVAL STREET - GOLD MIRROR RESTAURANT

- a) At 800 Taraval Street, install a
22' white zone, to extend from 10'-
32' west of east property line.

1360 LOMBARD STREET - KPIX ANNEX

- a) At 1360 Lombard Street, revoke
existing 16' yellow zone, which
extends from 74' - 90' east of
west property line of #1360 - and
install an 8' yellow zone, to extend
from 9' - 17' east of west property
line of #1360.

382 - 18th AVENUE - R. E. HUCK CO. INC

- a) At 382 - 18th Avenue, install a 22'
blue zone from 17' to 38' north of
south property line.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

REVOKED

RESOLVED, that the recommendations of the
Traffic Bureau on the revocation of 58 feet of yel-
low and green zones at the various parts of the City
at the locations submitted, be, and the same are here-
by approved.

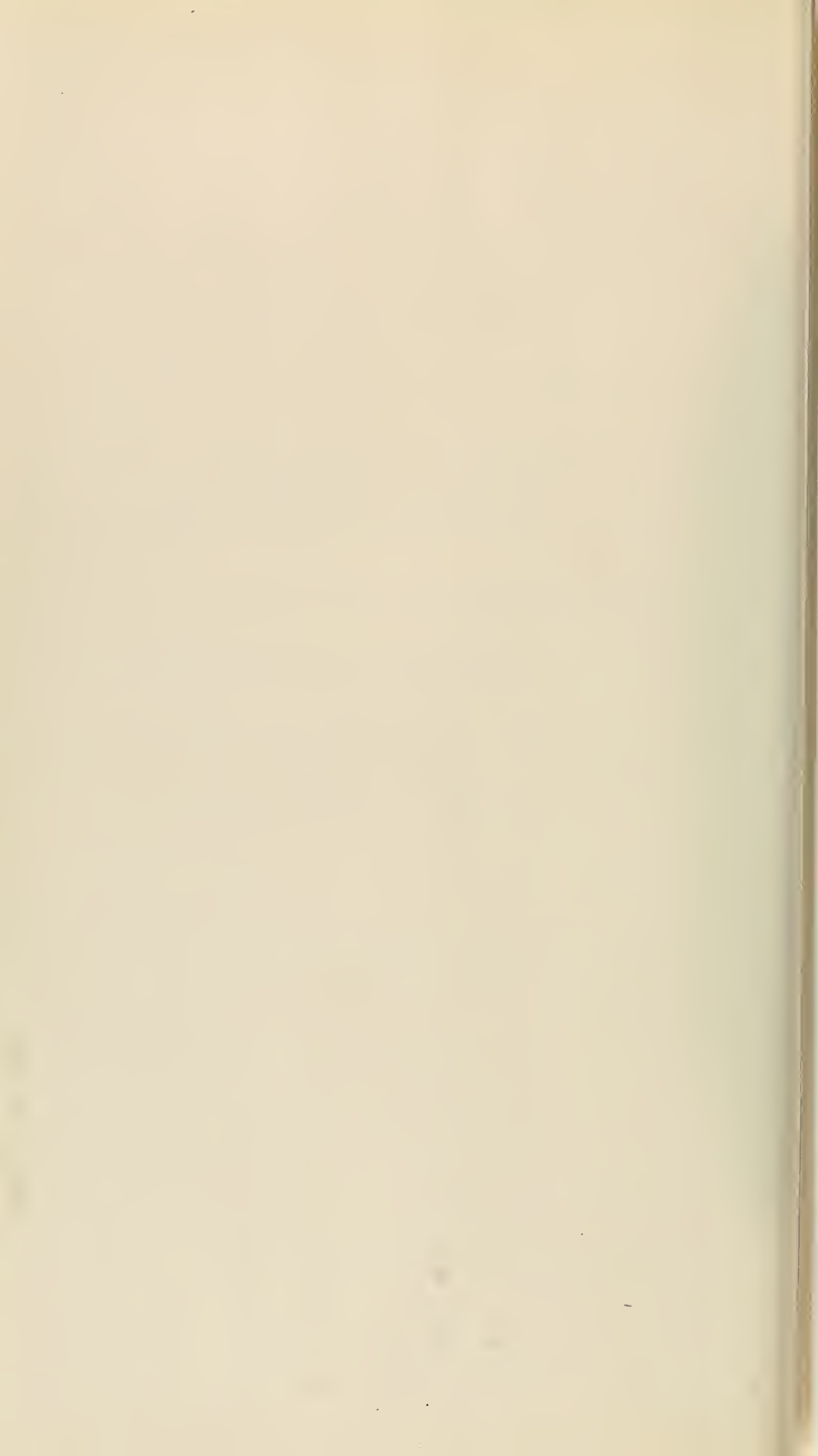
AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RETIREMENTS

Communications were received from the Retire-
ment Board officially notifying the Police Commission
of the retirement of the following-named members of the
Police Department:

- a) Deputy Chief of Investigations, Mortimer
F. McInerney, for service, effective
February 1, 1977.



- b) Lieutenant Daniel J. Shannon, Personnel & Training, for service, effective February 1, 1977.
- c) Lieutenant Bernard L. Shea, Juvenile Bureau, for service, effective January 31, 1977.
- d) Sergeant Frank J. Parenti, Taraval Police Station, for service, effective February 8, 1977.
- e) Inspector Clifford Bianculli, Bureau of Inspectors, effective February 16, 1977.

The communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 70-77

JOHN BURKE AND MARY H. OLSON

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of John Burke and Mary H. Olson against the City and County of San Francisco in the sum of \$848.50 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: January 20, 1976

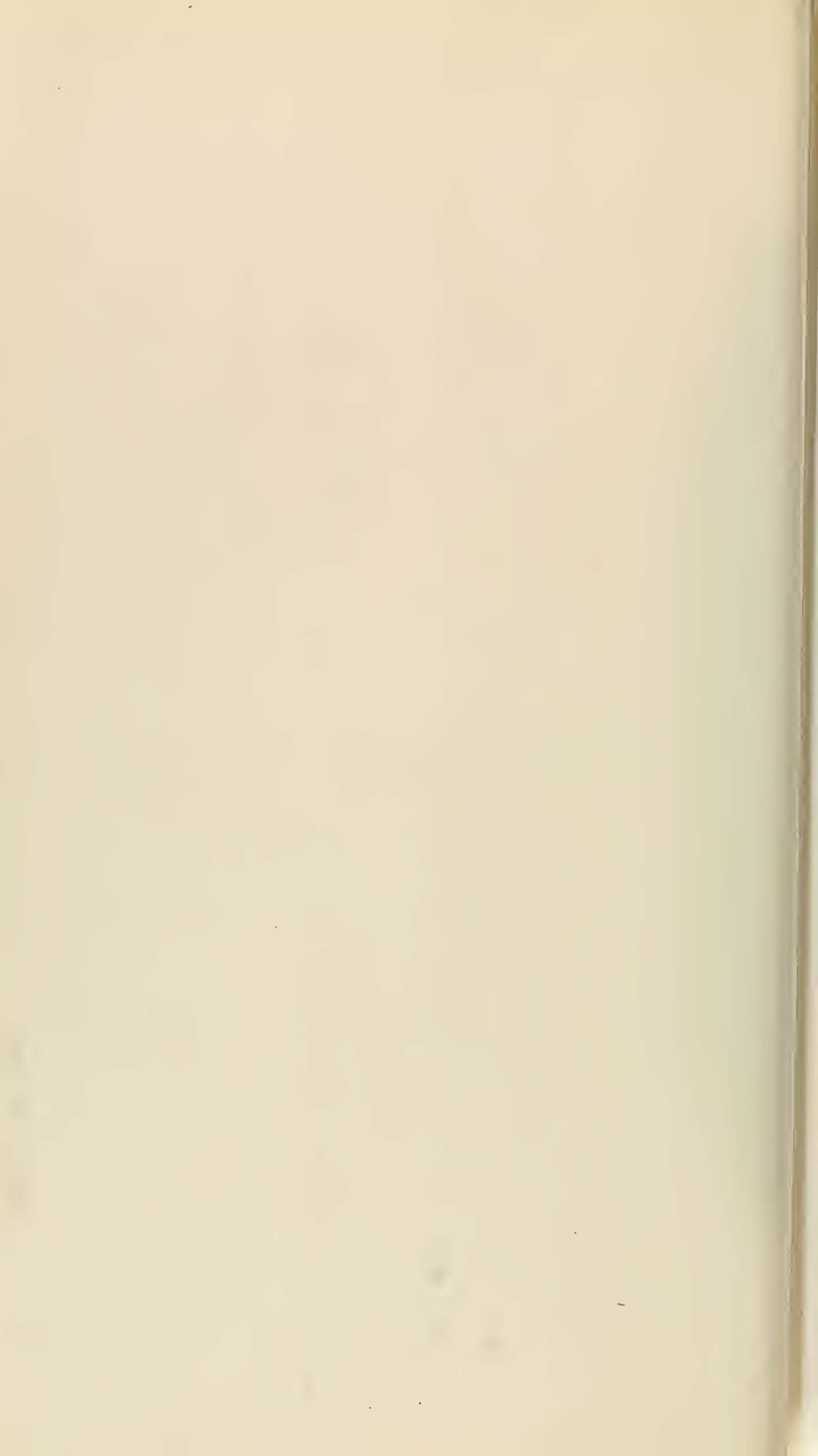
AYES: Commissioners Caini, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 71-77

JOSEPH RIVERA, ET AL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Josephine Rivera, et al., in the sum of \$2,192.02 in a Judgment



awarded for damages sustained, and compromise of Municipal Court Action No. 734-547, be, and the same is hereby approved.

Date of Incident: December 4, 1973

AYES: Commissioners Ciani, Gallegos,
Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 72-77

WILLIAM MAXWELL, ET AL

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of William Maxwell, et al., in the sum of \$25,000.00 in Superior Court Action No. 680-120 entitled "William Maxwell, et al., v. City and County of San Francisco, a municipal corporation, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 31, 1972

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 73-77

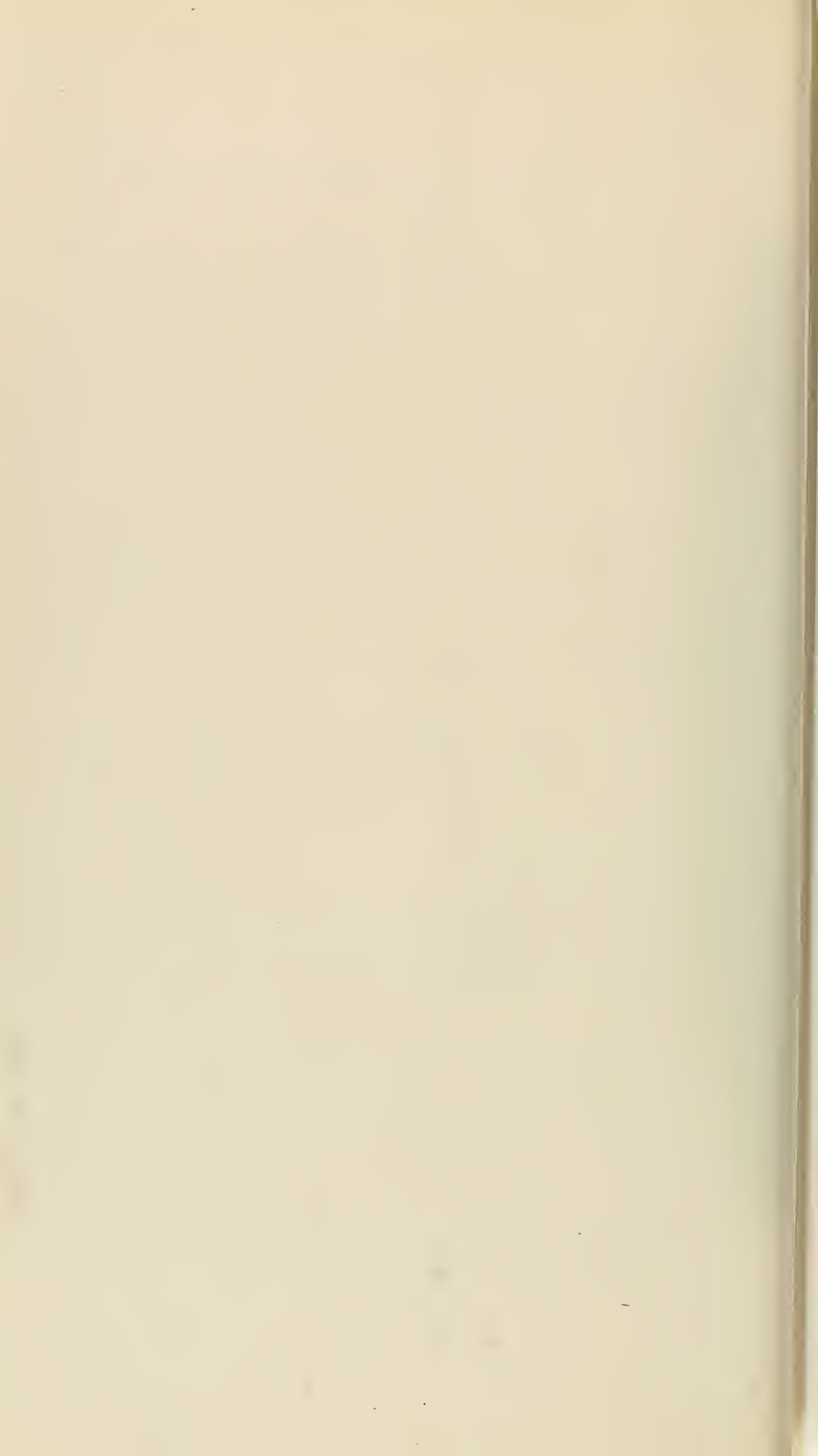
AUTHORIZING ATTENDANCE OF CHIEF OF POLICE CHARLES R. GAIN AND CAPTAIN GERALD SHAUGHNESSY, NARCOTICS BUREAU, AT THE FIFTH INTERNATIONAL EXECUTIVES NARCOTICS CONFERENCE IN PHOENIX, ARIZONA, FROM MARCH 6, 1977 TO MARCH 8, 1977, INCLUSIVE.

RESOLVED, that pursuant to the provisions of Ordinance 4567, Chief of Police Charles R. Gain and Captain Gerald Shaughnessy, Narcotics Bureau, be, and they are hereby granted permission to attend the Fifth International Executives Narcotics Conference to be held in Phoenix, Arizona, from March 6, 1977 to March 8, 1977, inclusive; and be it further

RESOLVED, that a sum not to exceed \$301.00 each will be defrayed by the Police Department's Travel Expense Fund and the Federal Drug Enforcement Administration will re-imburse the Department for coach-class travel expenses.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy



RESOLUTION NO. 74-77

AUTHORIZING ATTENDANCE OF LIEUTENANTS WILLIAM D. RIVAS, JOHN E. GUENLEY, EDWARD H. HARTMAN, AND RICHARD J. SHIPPY AT A MIDDLE MANAGEMENT COURSE AT HUMBOLDT STATE UNIVERSITY, KELSEYVILLE, CALIFORNIA, FROM MARCH 27, 1977 TO APRIL 8, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenants William D. Rivas, John E. Guenley, Edward H. Hartman, and Richard J. Shippy, be detailed to attend a Middle Management Course at Humboldt State University, Kelseyville, California, from March 27, 1977 to April 8, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenants William D. Rivas, John E. Guenley, Edward H. Hartman, and Richard J. Shippy, in a sum not to exceed \$800.50 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 84-77

AUTHORIZING ATTENDANCE OF POLICE OFFICERS DAVID K. SUEHIRO AND MICHAEL F. PEARSON AT A FIELD EVIDENCE TECHNICIAN TRAINING COURSE AT CALIFORNIA STATE UNIVERSITY, LONG BEACH, CALIFORNIA, FROM MARCH 8, 1977 TO MARCH 25, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officers David K. Suehiro and Michael F. Pearson be detailed to attend a training course at California State University, Long Beach, California, from March 8, 1977 to March 25, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officers David K. Suehiro and Michael F. Pearson, in a sum not to exceed \$971.00 each, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy



RESOLUTION NO. 75-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$18,112.00 from the following appropriation number in the amount shown:

Appropriation No. 6.161.961.000.000 -
Permanent Salaries-Uniform Force \$18,112

and credit it to the following appropriation in the amount indicated:

Appropriation No. 6.161.961.000.000-
Grant Match \$18,112

to provide funds for the City's Match to Muni Security Program.

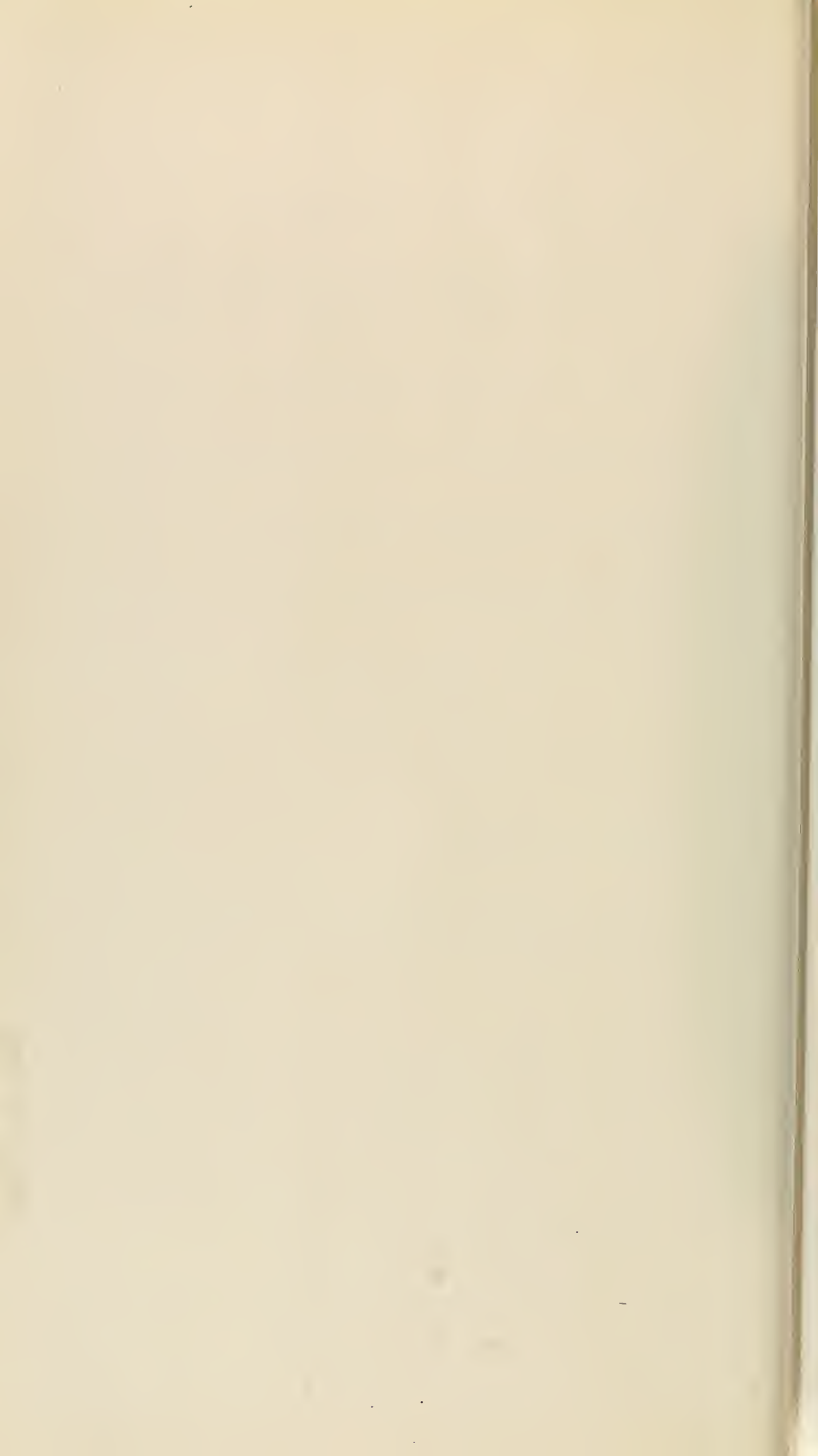
AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, February 15, 1977 as follows:

	<u>PREVIOUS WEEK</u>	
Daily average for the week sick	73	80
Daily average for the week disabled	<u>84</u>	<u>87</u>
TOTALS	157	167
This is a decrease of ten (10) members off duty daily from the previous week.		
Daily percentage for the week sick		3.61
Daily percentage for the week disabled		<u>5.13</u>
TOTAL		8.74



Disabled at start of week	87
Started during the week	12
Returned during the week	12
Disabled at end of week	87
Net Gain or Loss	0

SICK AND DISABLED FOR THE WEEK ENDING SATURDAY,
FEBRUARY 14, 1976 AT 2400 HOURS

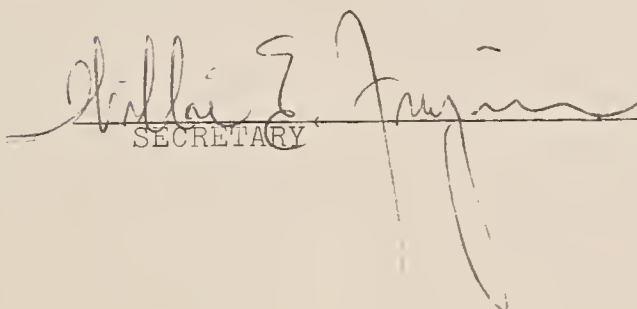
Daily average for the week sick	49
Daily average for the week disabled	<u>99</u>
TOTAL	148
Daily percentage for the week sick	2.62
Daily percentage for the week disabled	<u>5.45</u>
TOTAL	8.07

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY,
FEBRUARY 1, 1977 AT 2400 HOURS

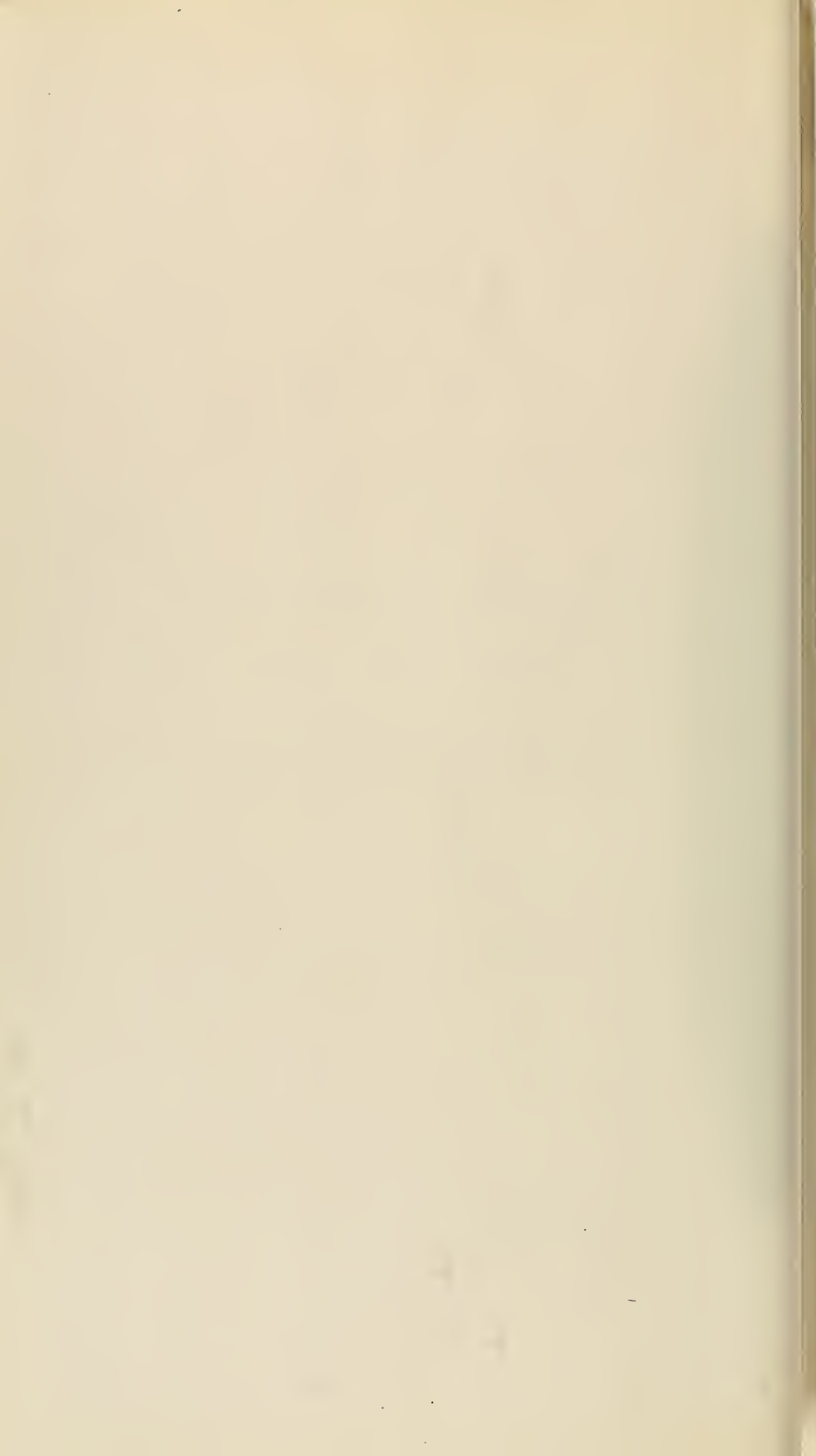
Daily average for the week sick	84
Daily average for the week disabled	<u>91</u>
TOTAL	175
Daily percentage for the week sick	4.20
Daily percentage for the week disabled	<u>5.54</u>
TOTAL	9.74

The report was ordered filed.

The Commission then adjourned its meeting.



SECRETARY



2 MARCH 1977

REGULAR MEETING

Minutes
The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 2, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Hall, Siggins

DOCUMENTS

ABSENT: Commissioners Gallegos, Murphy

APR 13 1977

Commissioner Siggins presiding.

SAN FRANCISCO
PUBLIC LIBRARY

The members of the Commission, having been furnished copies of the minutes of the meeting of January 26, 1977, and the Commissioners not having sufficient time to peruse, approval of same was continued for one week.

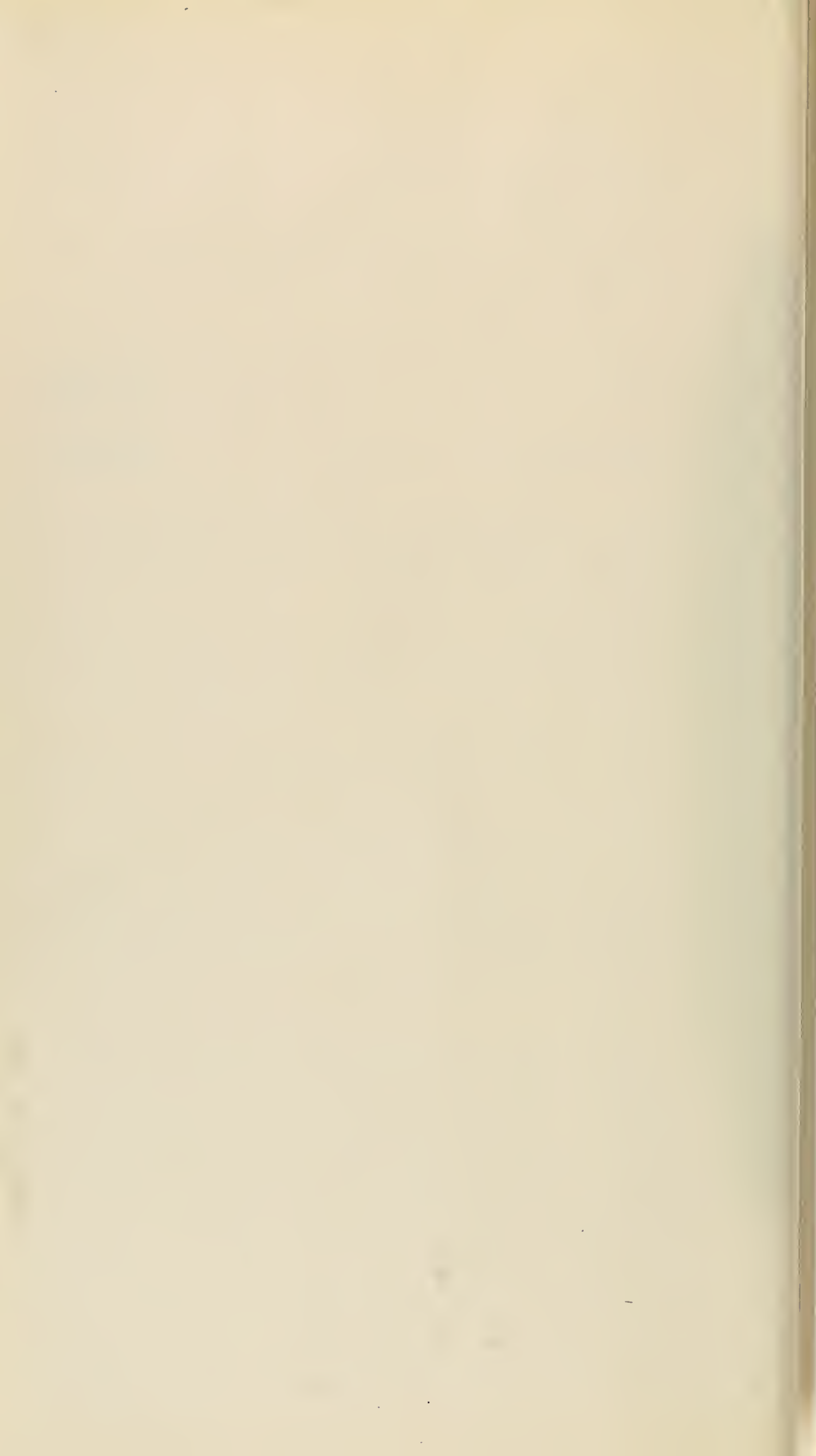
AYES: Commissioners Ciani, Hall, Siggins

NOT VOTING: Commissioner Gallegos, Murphy

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, Members of the Commission, I have two items tonight: 1.- You gave approval for me to go to Phoenix Sunday, Monday and Tuesday, but I would like to report that I will not be going to Phoenix, I will be staying here. Secondly, last week, several questions were asked of staff regarding the hiring of persons and where they are assigned and with your permission I would like to have Deputy Chief Mullen report to you to the extent that we completed the project that you requested.

Chief Mullen: "Mr. President, Commissioners, the first question was how many bi-lingual persons were on the remainder of the Q2 list, the response to that specific question is that Civil Service has told us that they are going to, for some reason, require a letter from us before they will answer that question. We are sending a letter to them. I believe you received a memorandum that includes several attachments, but we do have here a list that was compiled in January of the racial breakdown and the sex breakdown of the remainder of the Q2 list. We are sending the letter to Civil Service and we will get a response on the linguistic capabilities of the remainder of the list. The second question put to us was to identify the location of all bi-lingual people in the Department organizationally in the Department now both CETA and regular employment. The third page of the handout that you have shows that the total linguistic persons are inventoried by assignment. I can read it to you if you wish. It is rather extensive, it goes through



all of the organizational units and shows the distribution of the various persons. That is the response to that question. Additionally, you asked to identify people who had previously, under Department programs, received Spanish language training and also Chinese language training and to what extent are they required schooling, coaching and do they presently use the language skill that they have gained. We are in the process of identifying where they are now organizationally. This was a program, one of which was run through the district station, so it is a question of locating where they are and then we will, by questionnaire, ask them to what extent they attained fluency and to what extent this assist them in their job."

Commissioner Ciani: "Were we also going to get a report, I believe, on the efficacy of non-Chinese studying Chinese?"

Deputy Chief Mullen: "That is part of this to the extent that they acquired fluency and the extent to which they are able to put it to use. The only people who really know that are the people who did acquire those skills."

Commissioner Ciani: "You could also ask some professional or academic types that question. It may be that these particular people didn't have the proper training and there may be courses available which might be more successful than the ones these people took. What you have done, doesn't really answer the question: how feasible is it to have some of our existing officers trained in Chinese language skills? Also, I thought we were going to contact the Chinese Community and try to get a breakdown on the dialects or the types of language skills that are needed in the Chinese Community, Mandarin as opposed to Cantonese as opposed to dialects of the two."

Chief Gain: "We will do that. That concludes our report."

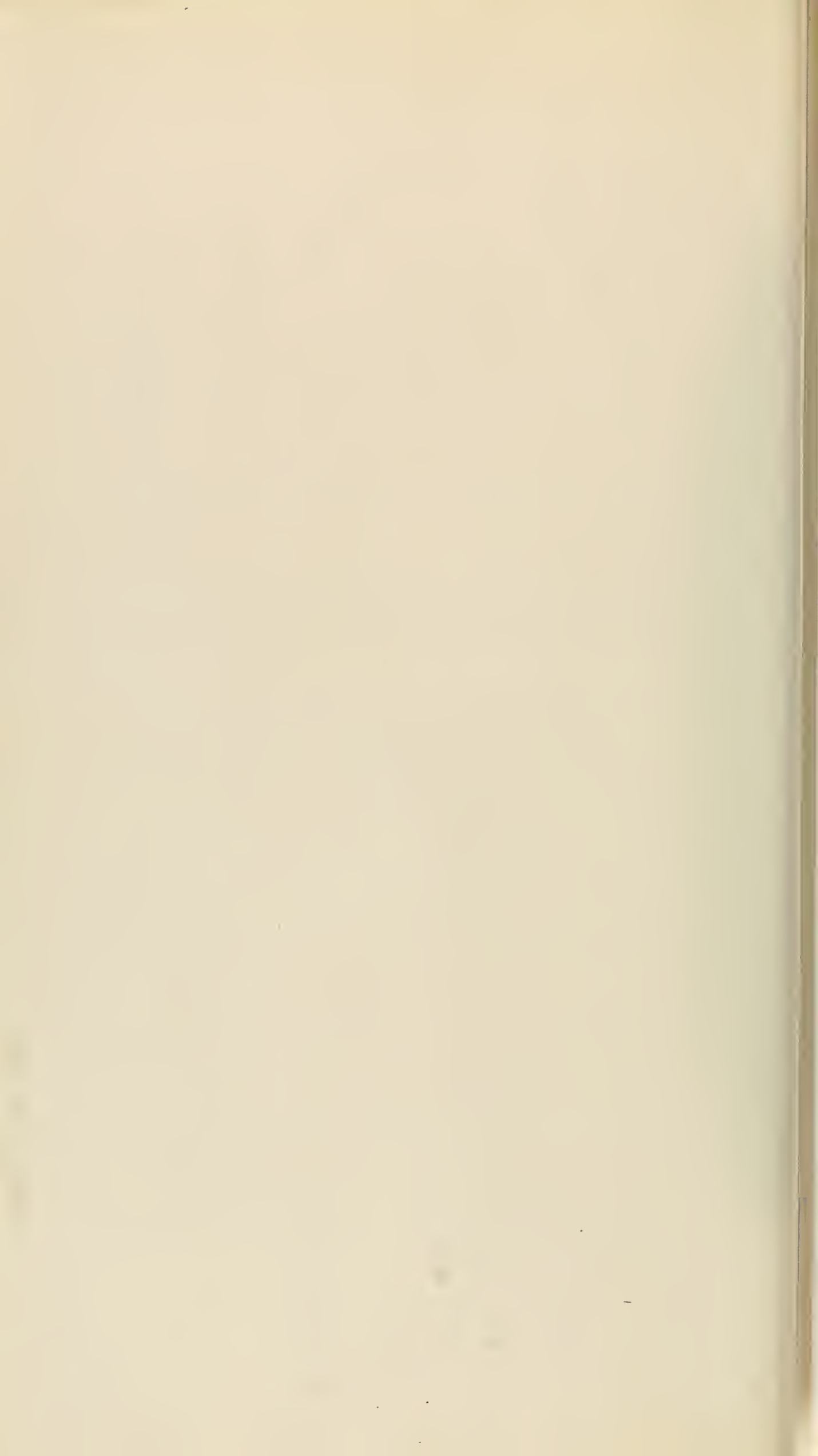
RESOLUTION NO.94-77

PATROL SPECIAL OFFICER FIORE J. GIANNINI - REVOKED

RESOLVED, that the appointment of Fiore J. Giannini for Beat No. 69, Mission Police District, be, and the same is hereby revoked effective March 2, 1977, he having sold his beat to Assistant Patrol Special Officer Dan S. Morris.

AYES: Commissioners Ciani, Hall, Siggins

NOT VOTING: Commissioners Gallegos, Murphy



RESOLUTION NO. 95-77

PATROL SPECIAL OFFICER DAN S. MORRIS -APPROVED

RESOLVED, that Dan S. Morris, be, and he is hereby appointed a Patrol Special Officer for Beat No. 69, Mission Police District; said appointment effective March 2, 1977, he having purchased Beat No. 69, Mission Police District, from Fiore J. Giannini.

AYES: Commissioners Ciani, Hall, Siggins

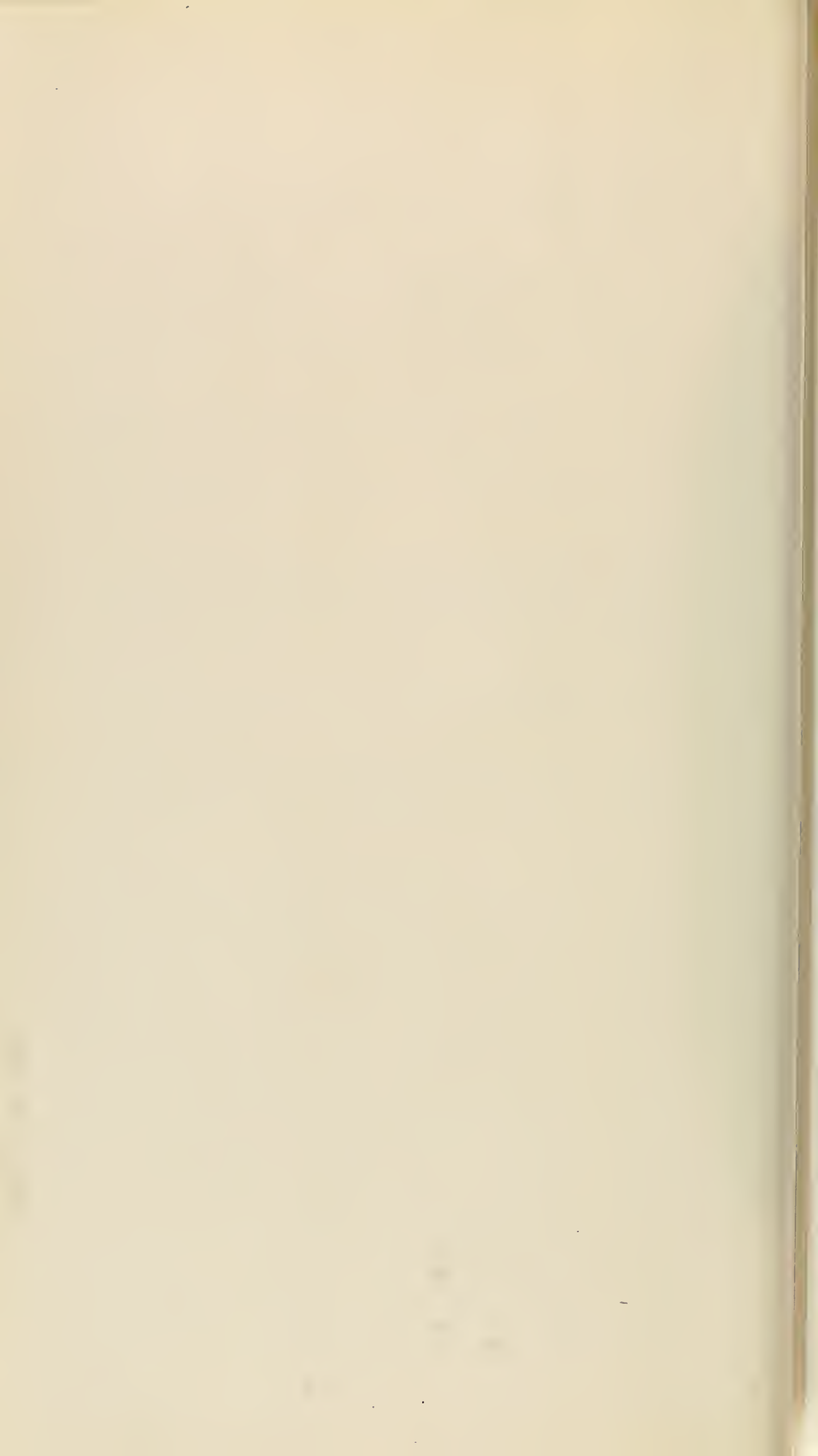
NOT VOTING: Commissioners Gallegos, Murphy

PUBLIC HEARING TO DETERMINE IF PUBLIC CONVENIENCE AND NECESSITY EXISTS FOR THE ISSUANCE OF A LIMOUSINE PERMIT. APPLICANT: LAFRANCE GRAVES AND ALICE MARIE GRAVES.

"President Siggins, Members of the Board, James J. Reilly appearing as council on behalf of Mr. and Mrs. Graves."

Commissioner Siggins: "LaFrance Graves and Alice Graves applied for a Limousine Permit really on a specialized basis to operate a shopping service, is that correct?"

Mr. Reilly: "The purpose of this particular service is to pick up people from their homes, bring them down to the shopping center, take them back to their homes and carry their packages into the house. Now they operated this service in October of 1975 for one month. They have gone down to the City Hall and to the Hall of Justice and asked if they needed a permit for this type of operation and they were told it was not necessary. For the month of October, 1975, the low income area that they are in, they were carrying disabled, lame, blind, injured people, to and from shopping centers and carrying the packages into the homes. There are no other services like this in San Francisco. They were told by the Police however, that they needed a permit. They spent the following year trying to determine what kind of permit would be necessary and the City Attorney's Office was requested and rendered an Opinion in which they stated that this would be covered by a Limousine Permit. We thereupon went through various procedures to file the application and gain the necessary permit finally going before the Board of Permit Appeals and certain procedures which may be irrelevant right now and then coming before this Board upon notice for this Hearing of Public Convenience and Necessity. Now I have with me three people



who participated in the services of October 1975, and I have also filed the affidavits of the declarations of several people who request the need and necessity for this particular type of service. Some examples for instance, Mr. Miller who is a senior citizen partially paralyzed, does not drive and the only transportation available is the bus and taxi service of the Graves. It is difficult to get a taxi to service him because of his being in a low income area. The taxis won't respond and I imagine with the Yellow Cab problem there would be less response there if there ever was a response. There are other declarations on file for various reasons, 'taxi service won't come pick me up. When LaKeg's Shopping Service was available, I went grocery shopping.' Mrs. Martin has only one car available in the family, the children are in school and she had to use the LaKeg's Shopping Service. Beverly Johnson in a low income area, she used the service because she had no other means of transportation. So it is obvious from the declarations that I have filed and it is obvious to anybody who lives in San Francisco and knows this town at all and the realities of this city, this type of service is not only convenient and necessary but it is something that should be supplied. There has been in the past a \$120,000 dollar grant for this kind of service that was given by the Government to the Cannon Kip Organization at 72 Natoma Street, which was not successful, or at least I haven't heard whether it was successful or not but it went out of operation. However, I would like to ask briefly for three people to come up and give their reasons if the Board wishes to hear this, why they feel this is so necessary."

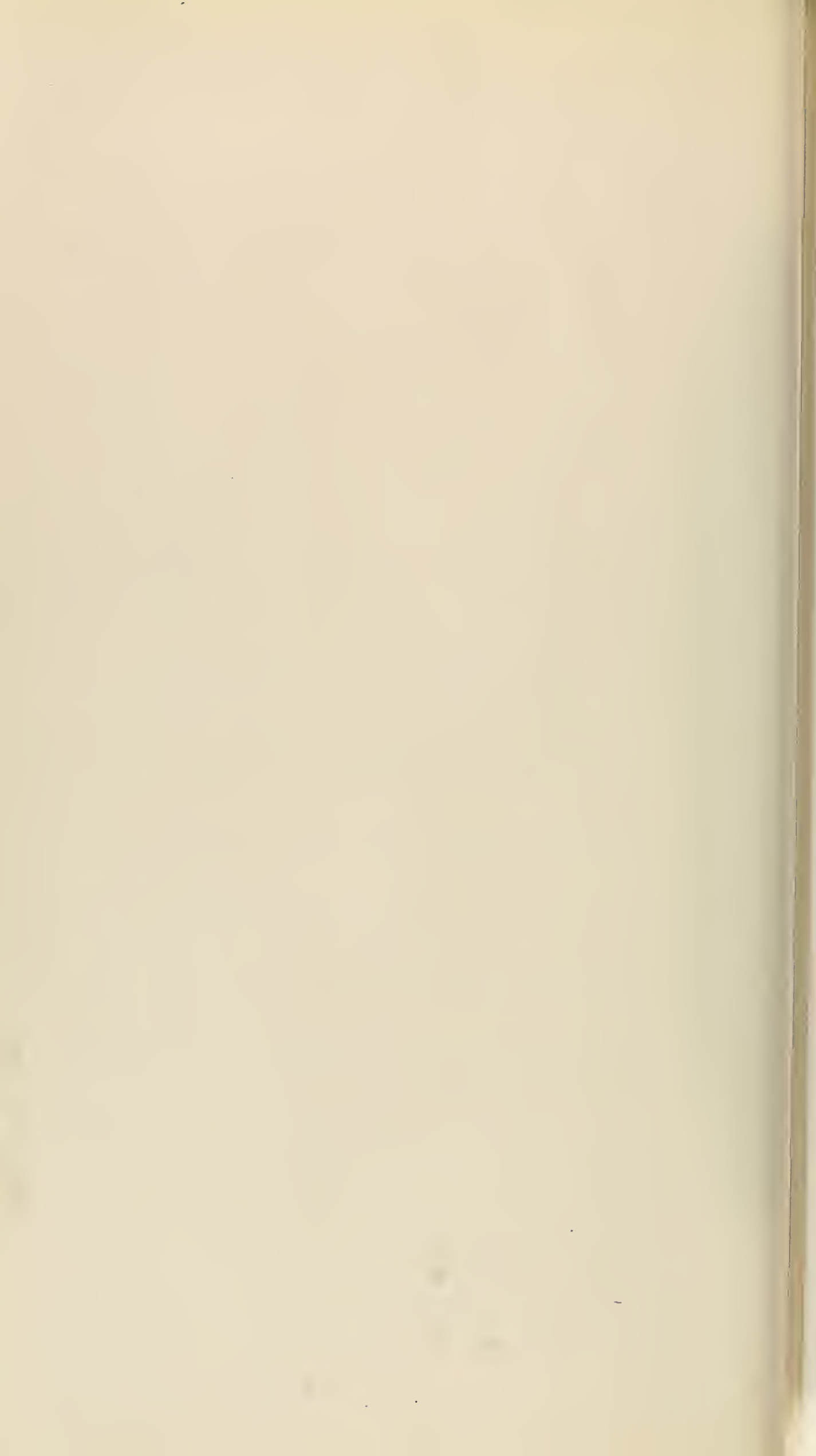
Commissioner Siggins: "Are these the people whose declarations are on file?"

Mr. Reilly: "No, these are three others."

Commissioner Siggins: "Well, first of all is there going to be opposition to this?"

Chief Gain then stated that Officer Seybold, assigned to the Legal Office, representing the Police Department would speak.

Officer Seybold: "The problem as I see it in the granting of this particular permit in this type of operation is first of all they are requesting a Limousine Permit and yet their description of the rates to be charged does not fit within the guidelines set forth by the Police Code. Namely, up to \$10.00 for the first half hour and \$10.00 thereafter for the half hour and/or .50 for the first mile, or \$1.00 for the first mile and \$1.50 for each half mile thereafter. There would be no way of their complying with those directives underneath a limousine permit. It seems like something



they are trying to describe would be sort of like a cut-rate taxi-type service. There is no existing permit in the City Codes."

Mr. Reilly: "In answer to that I might say two things. Number one, I think that the schedule they set out \$2.00 for the small area that they were covering might fall within the limitations. We would amend it if necessary, I secondly would think that this type of service and I want to urge this point strongly, to put a minimum fair trade type of charge on an absolutely essential service to the sick, the disabled and lame in San Francisco that is not supplied by any other person, individual group or governmental agency to help those people get to and from their homes and shopping centers and get their groceries into their homes, to me, must violate some type of Constitutional Amendment. The concept of applying these strict rules that Officer Seybold has mentioned to this particular situation just seem to be incongruent."

Further discussion was held on the subject after which the Commission passed the following resolution:

RESOLUTION NO. 88-77

FINDING AND DECISION OF POLICE COMMISSION IN THE HEARING OF APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF A LIMOUSINE.

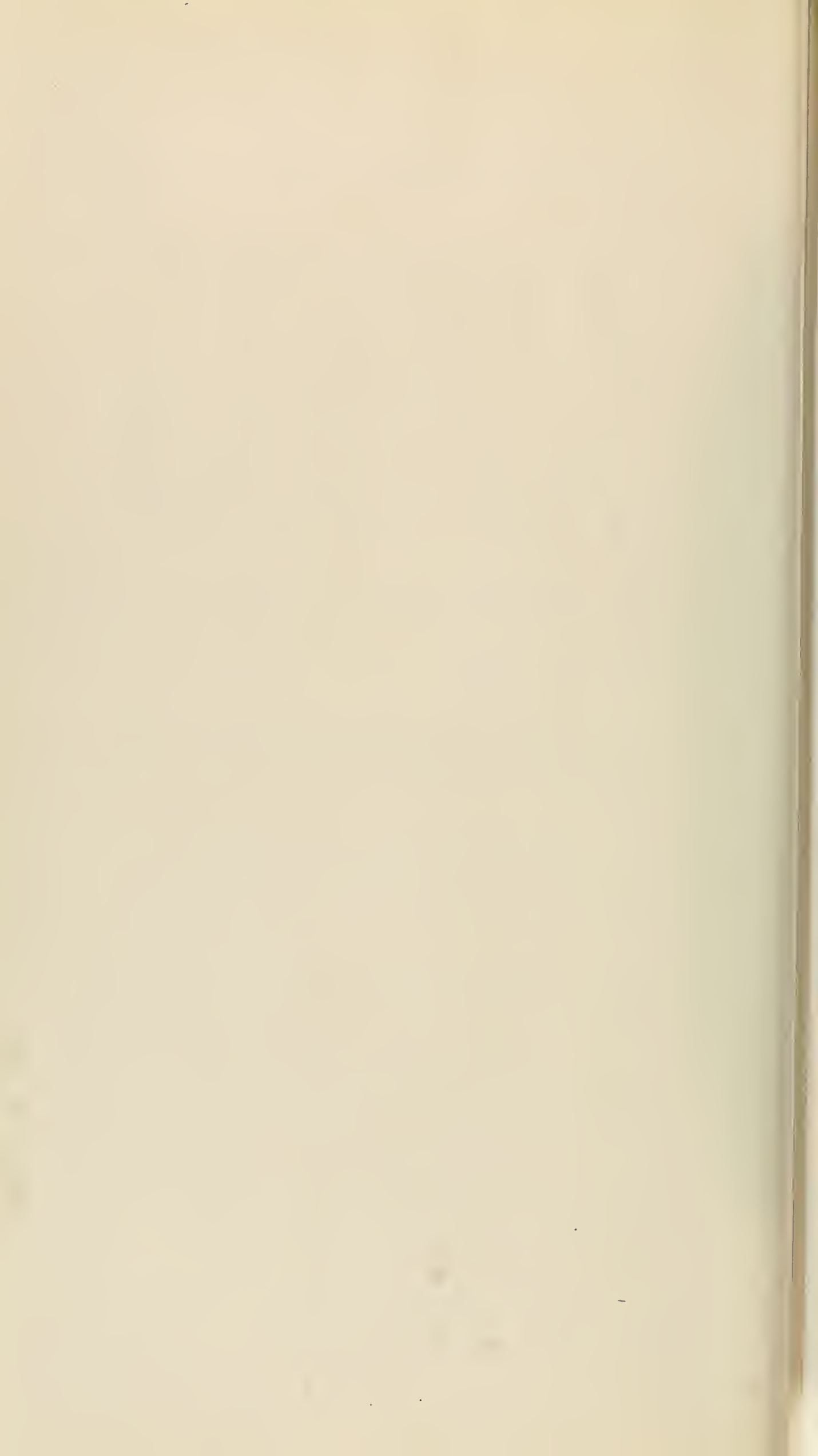
WHEREAS, LaFrance Graves and Alice Marie Graves have applied to the Police Commission for a Certificate of Public Convenience and Necessity to operate a limousine in the City and County of San Francisco; and

WHEREAS, this matter came on for hearing before the Police Commission of the City and County of San Francisco on Wednesday, March 2, 1977; and

WHEREAS, several persons from the community in which they proposed service, appeared before the Police Commission to present evidence in support of the applicants; and

WHEREAS, Commissioner Siggins inquired if there was any opposition in the granting of an additional limousine permit to LaFrance Graves and Alice Marie Graves, and to which the answer was "no;" and

WHEREAS, the law requires that in order to determine that Public Convenience and Necessity exists, the Police Commission must find, among other things, the following:



- a) The applicant is financially responsible.
- b) That the persons, firms, or corporations holding permits or licenses for the operation of motor vehicles for hire are under efficient management, earning a fair and reasonable return on their capital devoted to such service.
- c) That persons, firms, or corporations presently holding permits or licenses for the operation of vehicles for hire are, under normal conditions, inadequately serving the public;

therefore be it

RESOLVED, that it has been established by clear and convincing evidence and beyond a reasonable doubt that public convenience and necessity does require the operation of an additional limousine permit for which application has been made; therefore be it further

RESOLVED, that LaFrance Graves and Alice Marie Graves, be, and they are hereby granted a Certificate of Public Convenience and Necessity for the operation of one (1) limousine.

AYES: Commissioners Ciani, Hall, Siggins

NOT VOTING: Commissioners Gallegos, Murphy

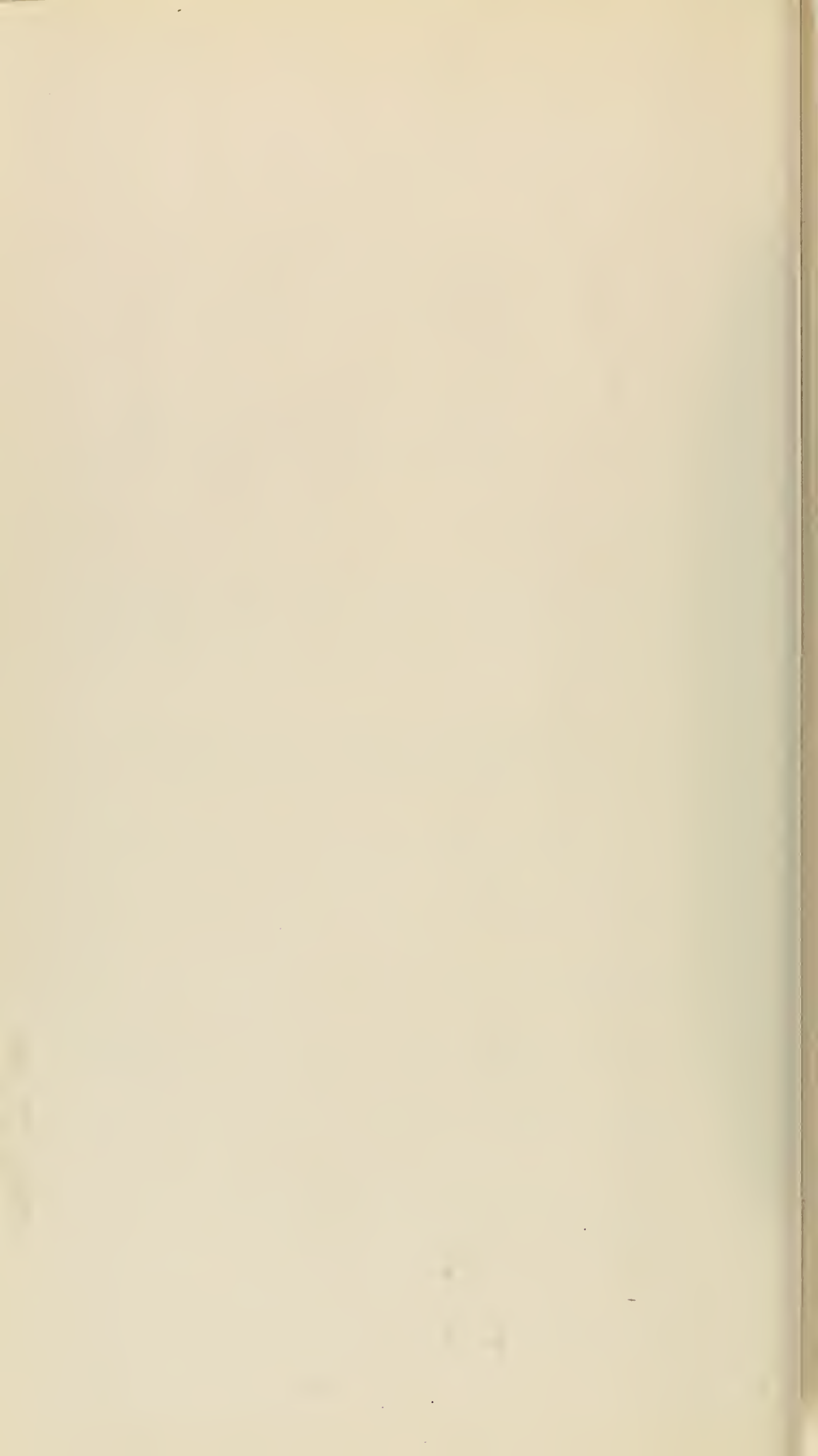
RESOLUTION NO. 98-77

HEARING OF INSPECTOR RONALD LIMNEOS, JUVENILE BUREAU

WHEREAS, the hearing of Inspector Ronald Limneos, Juvenile Bureau, was called, it having been set for this date; and

WHEREAS, Mr. George Walker, Attorney at Law, who is representing Inspector Ronald Limneos has requested that a date for the hearing be set after the criminal proceedings have been disposed of in this matter; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Inspector



Ronald Limneos, is set for Wednesday, March 23, 1977, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Hall, Siggins

NOT VOTING: Commissioners Gallegos, Murphy

HEARING OF SENIOR CLERK-TYPIST JOANNE COYNE, BUREAU OF SUPPORT SERVICES.

The hearing of Senior Clerk-Typist Joanne Coyne, Bureau of Support Services, was called, it having been set for this date. Senior Clerk-Typist Joanne Coyne was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO.1

Neglect of Duty. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police.

Senior Clerk-Typist Joanne Coyne, appeared in person, and was not represented by counsel.

Sergeant David P. Roche, Legal Officer, appeared as Prosecutor for the Police Department.

Senior Clerk-Typist Joanne Coyne, entered a verbal plea of "guilty."

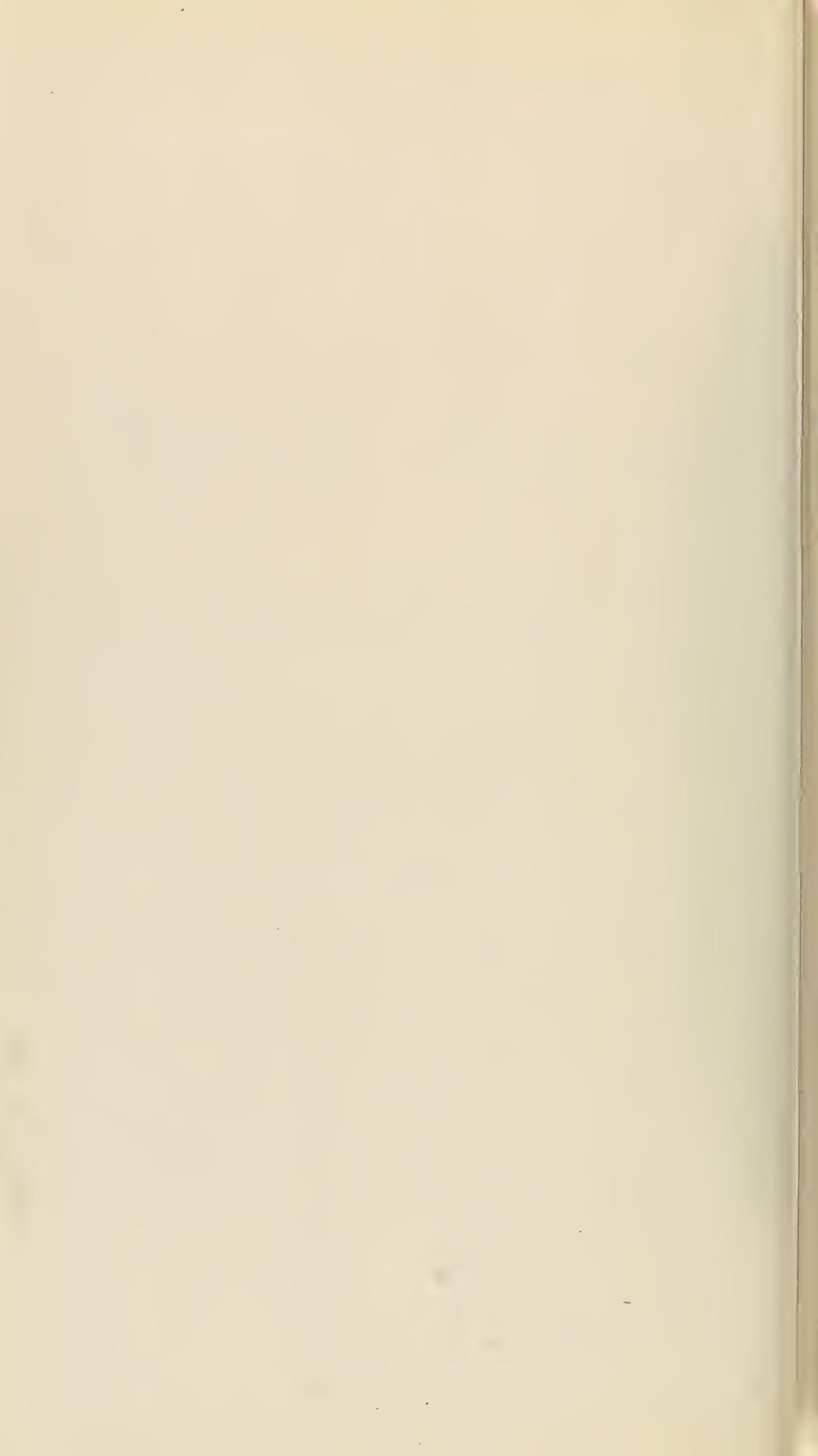
An opening statement was made by Sergeant David P. Roche, attorney for the Prosecution.

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Lieutenant Oscar Tully
Bureau of Support Services

Senior Clerk-Typist Joanne Coyne
Bureau of Support Services

Sergeant David P. Roche, Legal Office, waived closing argument.



The Commission took the matter under submission after which the following resolution was adopted:

RESOLUTION NO. 96-77

DECISION - HEARING OF SENIOR CLERK-TYPIST JOANNE COYNE, BUREAU OF SUPPORT SERVICES.

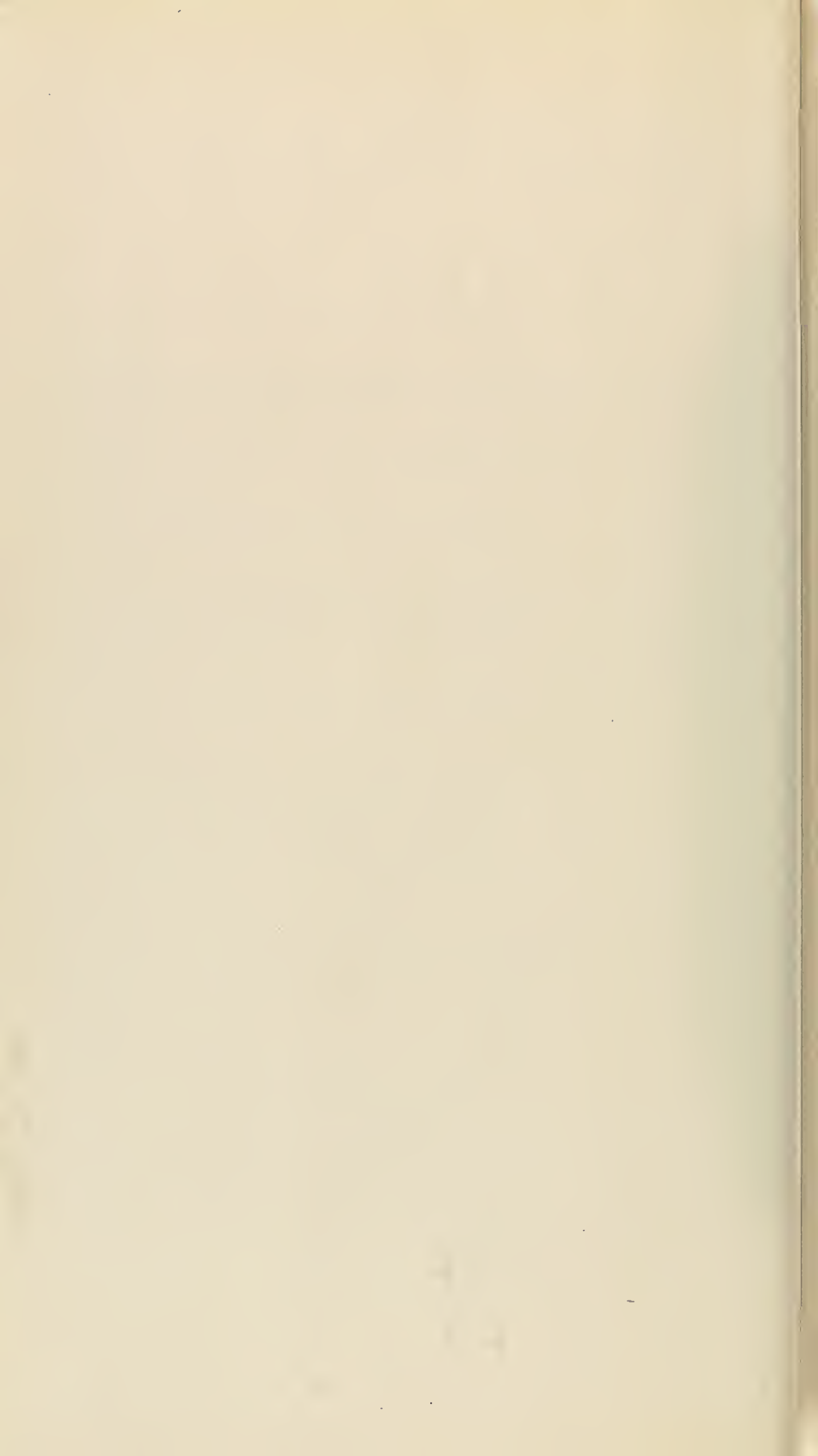
WHEREAS, on January 30, 1977, Charles R. Gain, Chief of Police, made and served charges against Senior Clerk-Typist Joanne Coyne, as follows:

SPECIFICATION NO. 1

- a) That the accused was due to report for duty on November 21, 1976;
- b) That the accused failed to report for work on November 21, 1976, and has not reported for Duty since that date.
- c) The accused is listed as being absent without leave.
- d) Because the accused has failed to report for duty, other members of the Support Services Bureau have had to perform the functions normally performed by the accused, causing a lessening of efficiency in the Support Services Bureau.
- e) Because of the above-stated conduct, the accused did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department hereinafter quoted;

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

and



WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, March 2, 1977, and that on Wednesday, March 2, 1977, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Senior Clerk-Typist Joanne Coyne, Bureau of Support Services, as contained in Specification No. 1 are sustained by the evidence presented at the hearing and that Senior Clerk-Typist Joanne Coyne has violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department, therefore be it

RESOLVED, that it is the order of the Police Commission that Senior Clerk-Typist Joanne Coyne, has violated Specification No. 1, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violation Senior Clerk-Typist Joanne Coyne be dismissed from the department, but is granted a stay of execution on the following conditions:

1. That Senior Clerk-Typist Joanne Coyne's attendance is satisfactory, and her job performance is satisfactory.
2. That she and her immediate supervisor re-appear before the Police Commission at the end of six (6) months with a progress report of her attendance and job performance. If her attendance and job performance report is satisfactory, the termination order will be dismissed.

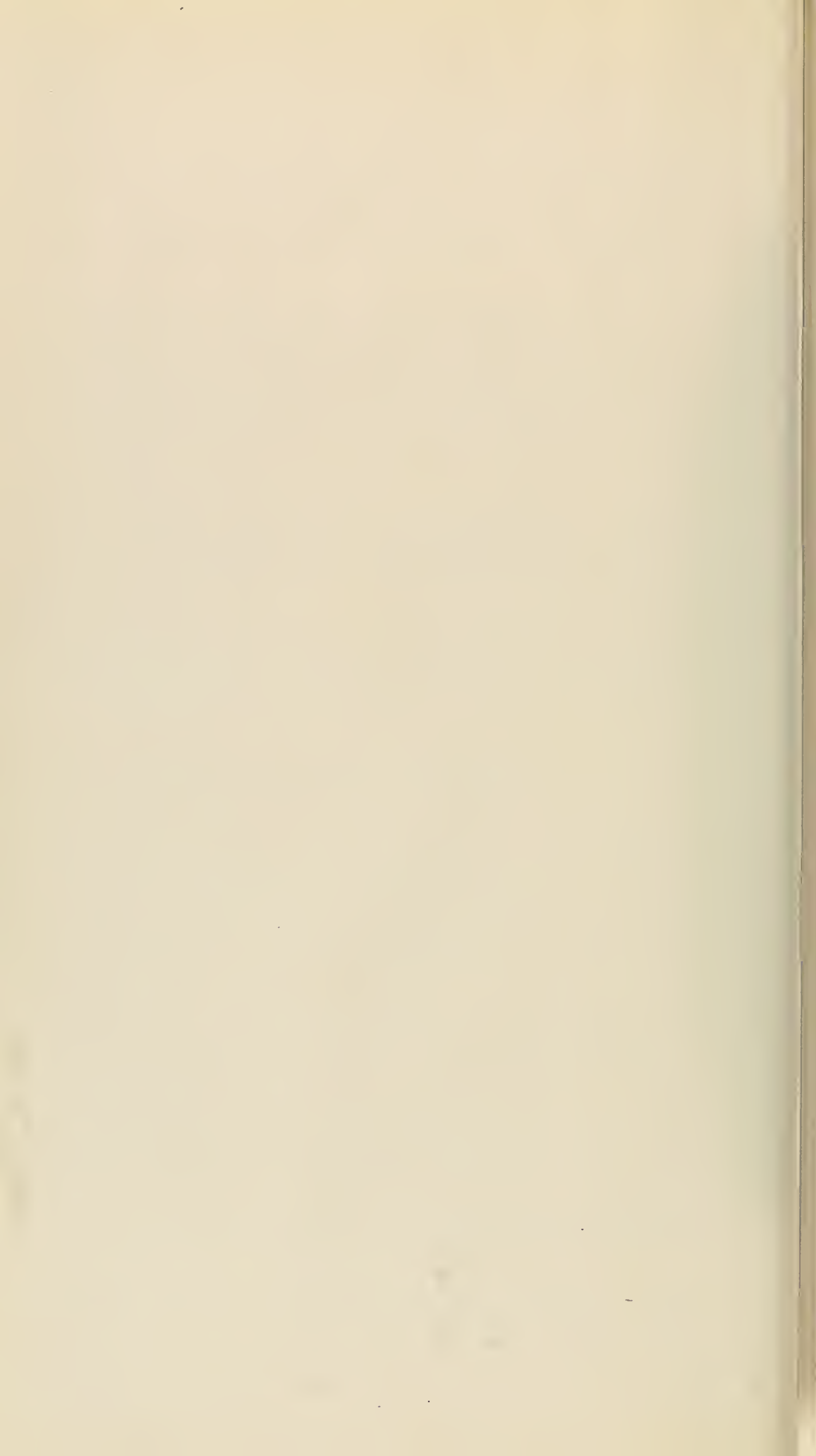
(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Hall, Siggins

NOT VOTING: Commissioners Gallegos, Murphy

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:



935 STOCKTON STREET - FONG BROS.

- a) At 935 Stockton Street, change existing 44' yellow zone to Special Truck Loading Zone, to extend from 115' - 159' south of Washington Street. - to be in effect from 7 A.M. - 6 P.M.

650 MC ALLISTER STREET - JOHN SWETT ELEMENTARY SCHOOL

- a) At 650 McAllister Street, - revoke existing 180' white zone.

170 STILLMAN - PACE MACHINE PRODUCTS

- a) At 170 Stillman, install a 22' yellow zone, to extend from Freeway Support R-9 to 22' east of same - Under Freeway.

144 STILLMAN - JON C. LOPEZ DESIGNS, INC.

- a) At 144 Stillman, install a 22' yellow zone, to extend from Freeway Support R-19 to 22' west of same.

865 JACKSON STREET - CHINESE CHURCH

- a) At 865 Jackson Street, install a 20' white zone, to extend from 6' - 26' west of Stone Alley - (Extension of present white zone.)

1732 LEAVENWORTH STREET - CHARISMA

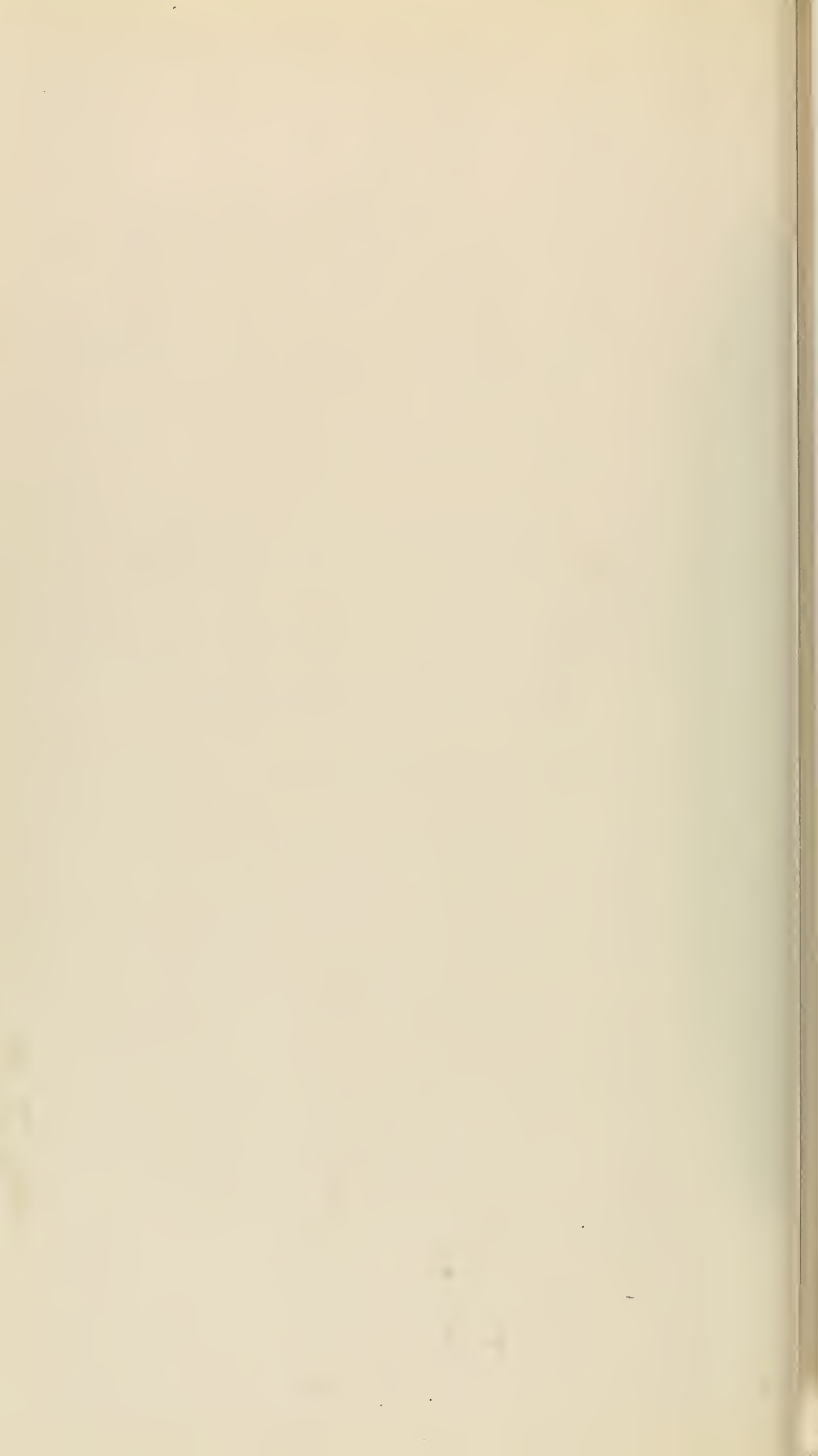
- a) At 1732 Leavenworth Street, install a 22' yellow zone, to extend south of north property line.

5901 CALIFORNIA STREET - AKI'S CLEANERS

- a) At 5901 California Street, install a 22' green zone, to extend west from east property line.

2404 BRYANT STREET - LA SINALOENSE STORE

- a) At 2404 Bryant Street, install a 22' yellow zone, to extend from 77' - 99' south of 22nd Street.



1360 LOMBARD STREET - KPIX ANNEX-NEWS SERVICE

- a) At 1360 Lombard Street, revoke existing 16' yellow zone, which extends from 74'-90' east of west property line of #1360- and install an 8' yellow zone, to extend from 9' - 17' east of west property line of #1360.

AYES: Commissioners Ciani, Hall, Siggins

NOT VOTING: Commissioners Gallegos, Murphy

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 196 feet of white and yellow zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Hall, Siggins

NOT VOTING: Commissioners Gallegos, Murphy

RESOLUTION NO. 85-77

BALBOA INSURANCE COMPANY (FRANCISCO VILLA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Balboa Insurance Company against the City and County of San Francisco in the sum of \$467.26 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: April 26, 1976

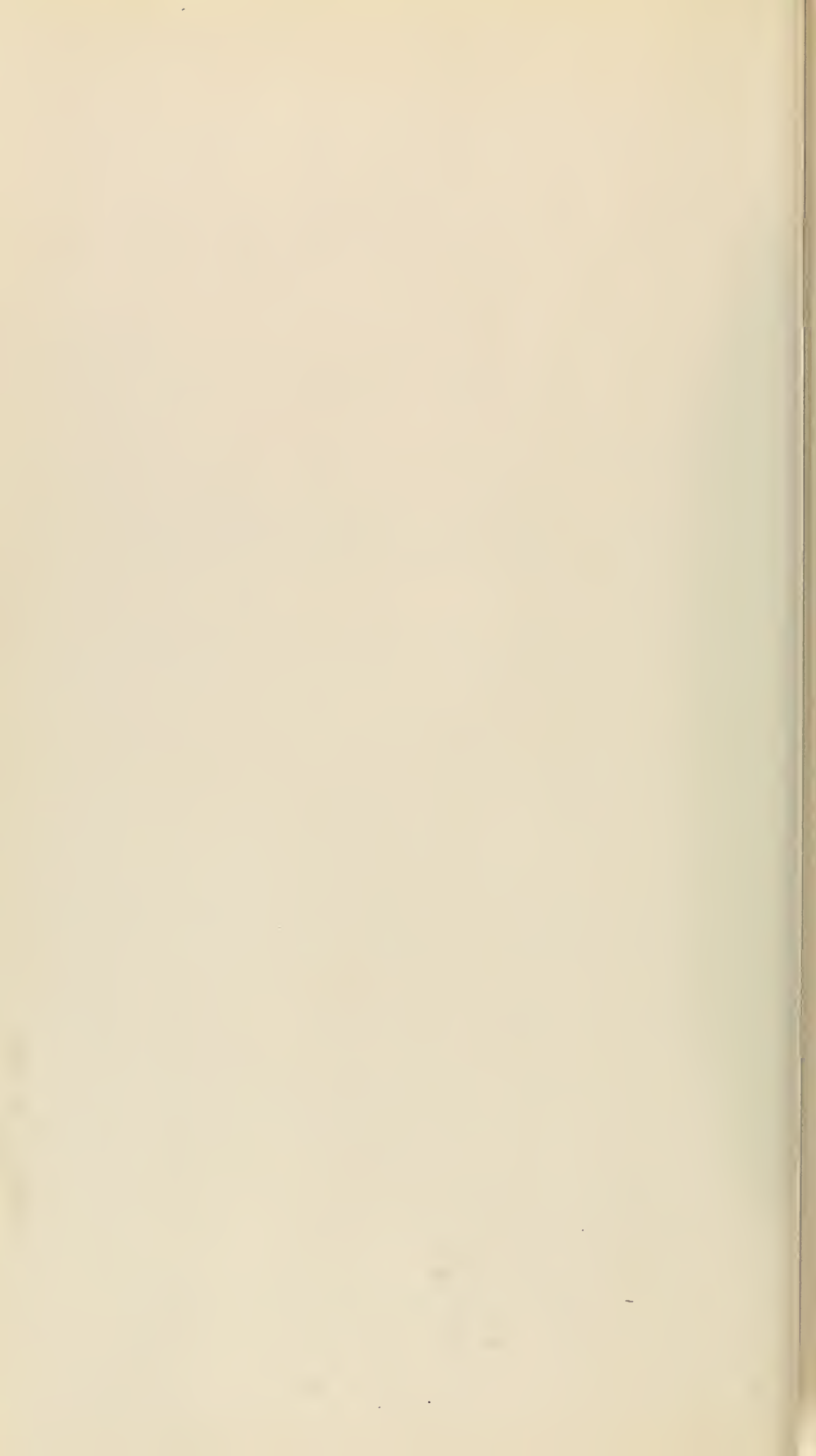
AYES: Commissioners Ciani, Hall, Siggins

NOT VOTING: Commissioners Gallegos, Murphy

RESOLUTION NO. 86-77

ROBERT A. BROWN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert



A. Brown against the City and Count., of San Francisco in the sum of \$242.03 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 19, 1976

AYES: Commissioners Ciani, Hall, Siggins

NOT VOTING: Commissioners Gallegos, Murphy

RESOLUTION NO. 87-77

PREMIER INSURANCE COMPANY (GEORGE TOM)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Premier Insurance Company against the City and County of San Francisco in the sum of \$500.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 29, 1976

AYES: Commissioners Ciani, Hall, Siggins

NOT VOTING: Commissioners Gallegos, Murphy

RETIREMENT

A communication was received from the Retirement Board officially notifying the Police Commission of the retirement of Police Officer Eugene R. Huddleston, Southeast Police Station, for industrial disability, effective February 17, 1977.

The communication was ordered filed.

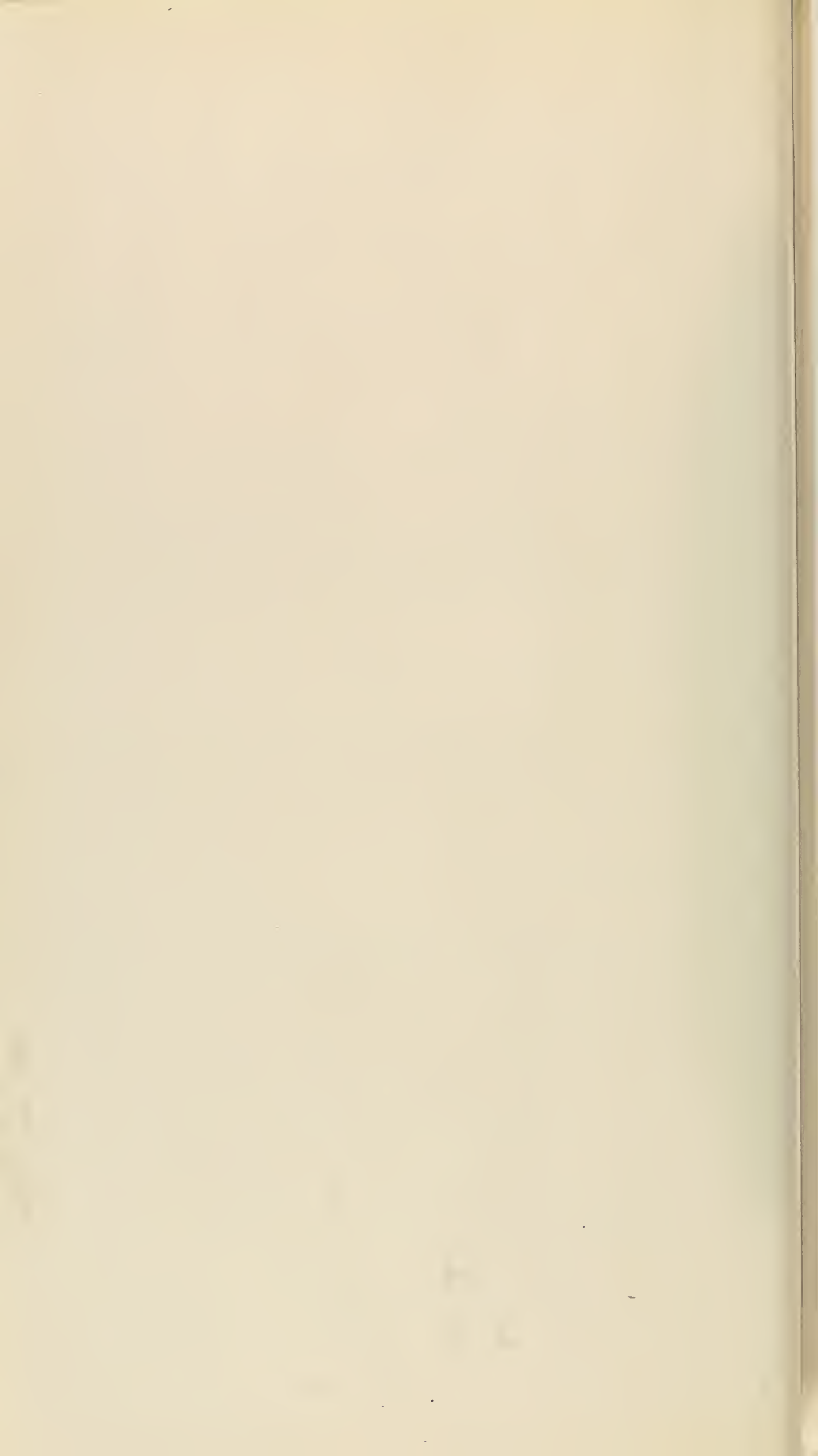
AYES: Commissioners Ciani, Hall, Siggins

NOT VOTING: Commissioners Gallegos, Murphy

POLICE NARCOTIC FUND FOR THE MONTH OF MARCH, 1977-CANCELLED.

AYES: Commissioners Ciani, Hall, Siggins

NOT VOTING: Commissioners Gallegos, Murphy



POLICE CONTINGENT FUND FOR THE MONTH OF MARCH, 1977-
CANCELLED.

AYES: Commissioners Ciani, Hall, Siggins

NOT VOTING: Commissioners Gallegos, Murphy

RESOLUTION NO. 90-77

AUTHORIZING ATTENDANCE OF LIEUTENANTS JOHN A. DAMON, JR.,
JAMES L. GRAY, RAYMOND C. MINKEL, JR., AND ROBERT M.
SPOTSWOOD, AT A MIDDLE MANAGEMENT TRAINING COURSE AT
CALIFORNIA STATE UNIVERSITY, LONG BEACH, CALIFORNIA,
FROM JUNE 6, 1977 TO JUNE 17, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenants John A. Damon, Jr., James L. Gray, Raymond C. Minkel, Jr., and Robert M. Spotswood be detailed to attend a Middle Management Training Course at California State University, Long Beach, California, from June 6, 1977 to June 17, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenants John A. Damon, Jr., James L. Gray, Raymond C. Minkel, Jr., and Robert M. Spotswood, in a sum not to exceed \$750.00 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Hall, Siggins

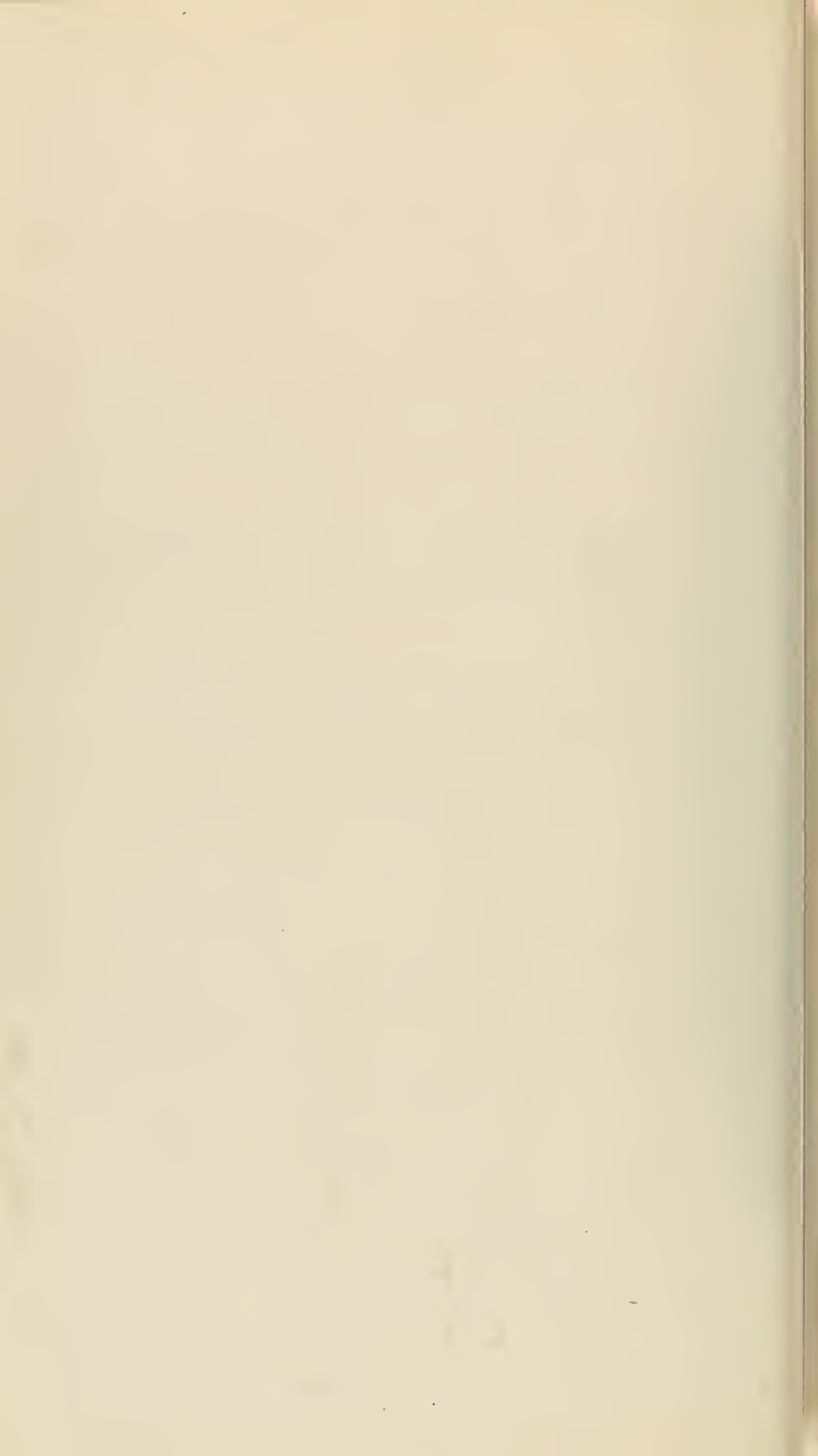
NOT VOTING: Commissioners Gallegos, Murphy

RESOLUTION NO. 91-77

AUTHORIZING ATTENDANCE OF SERGEANT WILLIAM R. TAYLOR,
INTERNAL AFFAIRS BUREAU, AT THE FOURTH ANNUAL TEXAS
POLICE POLYGRAPH EXAMINERS' SEMINAR IN AUSTIN, TEXAS,
FROM MARCH 7, 1977 TO MARCH 11, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant William R. Taylor, Internal Affairs Bureau, be detailed to attend the Fourth Annual Texas Police Polygraph Examiners' Seminar in Austin, Texas, from March 7, 1977 to March 11, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant William R. Taylor, in a sum not to exceed \$325.00 will



be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Hall, Siggins

NOT VOTING: Commissioners Gallegos, Murphy

RESOLUTION NO. 92-77

AUTHORIZING ATTENDANCE OF LIEUTENANTS MICHAEL A. BRUSH, ROBERT M. FORNI, FRANK W. WATTS, AND SOL P. WEINER, AT A MIDDLE MANAGEMENT TRAINING COURSE TO BE CONDUCTED BY THE OAKLAND POLICE DEPARTMENT AT WATSONVILLE, CALIFORNIA, FROM MAY 15, 1977 TO MAY 27, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenants Michael A. Brush, Robert M. Forni, Frank W. Watts, and Sol P. Weiner, be detailed to attend a Middle Management Training Course to be conducted by the Oakland Police Department at Watsonville, California, from May 15, 1977 to May 27, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenants Michael A. Brush, Robert M. Forni, Frank W. Watts and Sol P. Weiner in a sum not to exceed \$680.00 each will be defrayed by the Police Department's Police Officers' Training Fund.

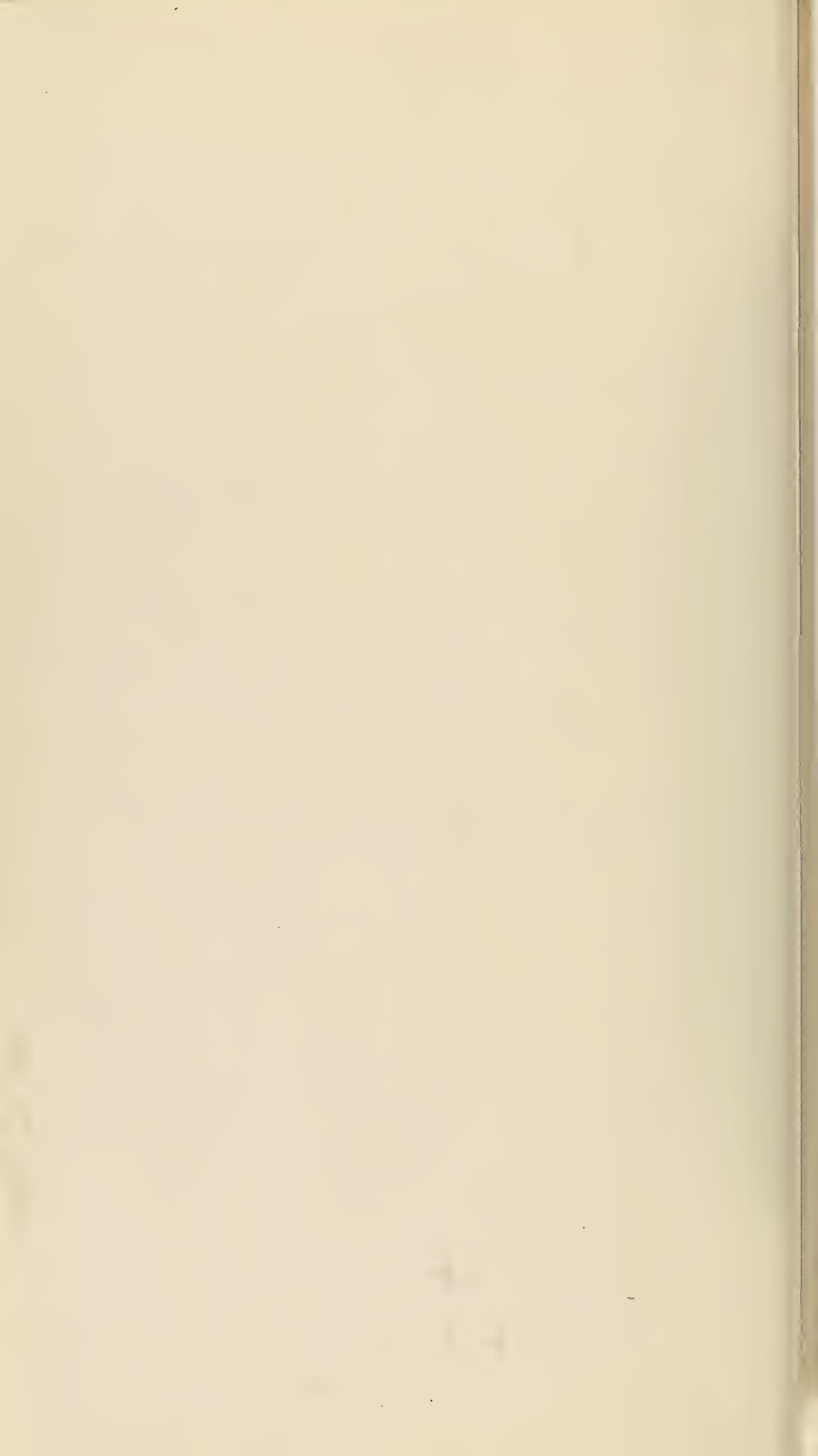
AYES: Commissioners Ciani, Hall, Siggins

NOT VOTING: Commissioners Gallegos, Murphy

RESOLUTION NO. 93-77

AUTHORIZING ATTENDANCE OF POLICE OFFICER JOHN F. DEVINE SPECIAL ASSISTANT TO THE CHIEF OF POLICE, AT A SEMINAR ON THE RAND REPORT - "ALCOHOLISM AT THE CROSSROADS" IN SANTA CRUZ, CALIFORNIA, ON MARCH 5, 1977 AND MARCH 6, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officer John F. Devine, Special Assistant to the Chief of Police, be, detailed to attend a Seminar on the Rand Report - "Alcoholism at the Crossroads" in Santa Cruz, California, on March 5, 1977 and March 6, 1977, inclusive, be, and the same is hereby approved; and be it further



RESOLVED, that expenses incurred by Police Officer John F. Devine in a sum not to exceed \$105.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Hall, Siggins

NOT VOTING: Commissioners Gallegos, Murphy

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, February 22, 1977, as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	79	73
Daily average for the week disabled	<u>80</u>	<u>84</u>
TOTALS	159	157

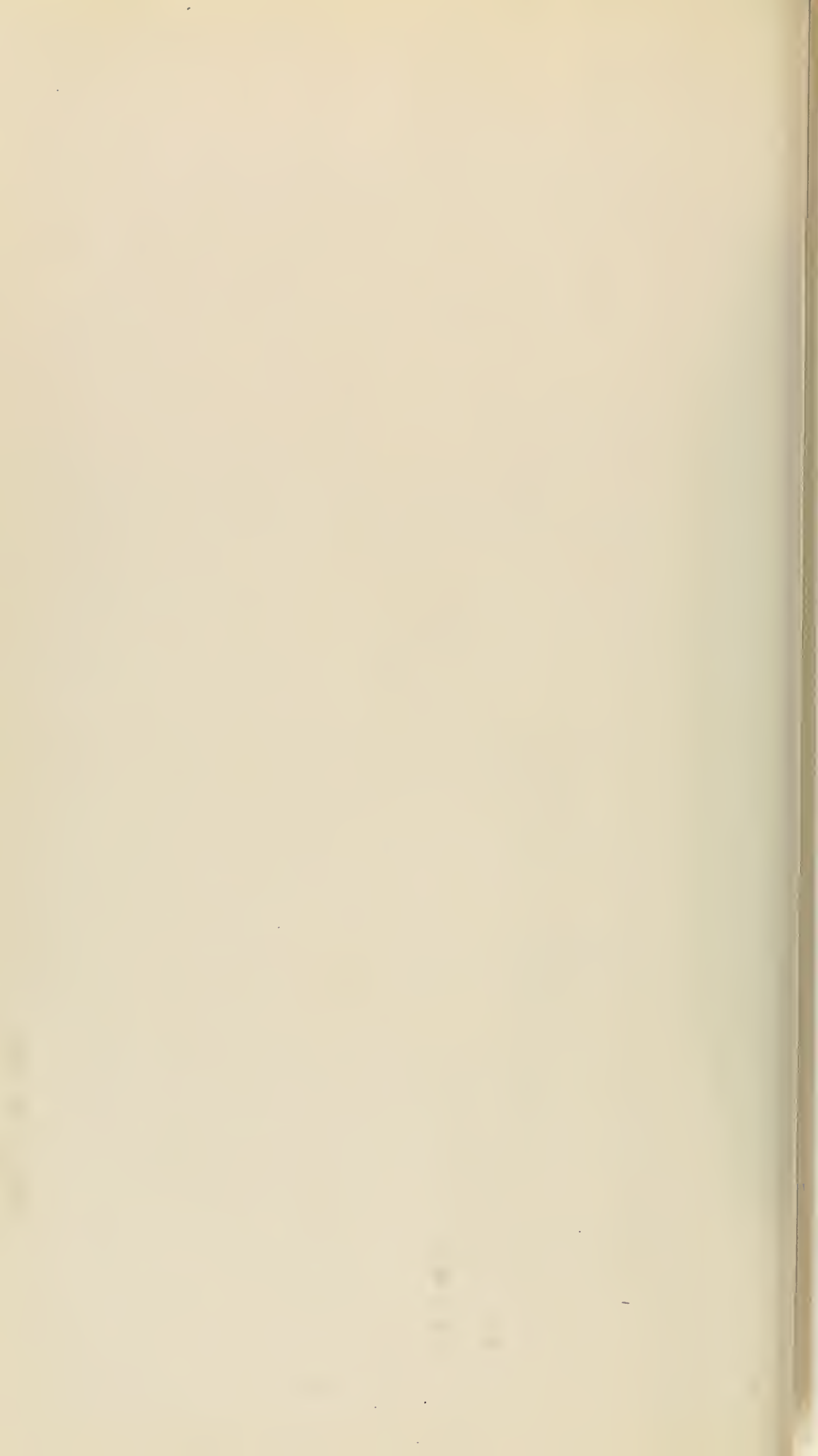
This is an increase of two (2) members off duty daily from the previous week.

Daily percentage for the week sick	4.91
Daily percentage for the week disabled	<u>3.84</u>
TOTAL	8.75

Disabled at start of week	83
Started during the week	10
Returned during the week	16
Disabled at end of week	77
Net Gain or Loss	-6

SICK AND DISABLED FOR WEEK ENDING SATURDAY, FEBRUARY 21, 1976 at 2400 HOURS:

Daily average for the week sick	56
Daily average for the week disabled	<u>98</u>
TOTAL	154
Daily percentage for the week sick	2.96
Daily percentage for the week disabled	<u>5.44</u>
TOTAL	8.40



SICK AND DISABLED FOR WEEK ENDING TUESDAY, FEBRUARY
8. 1977 AT 2400 HOURS

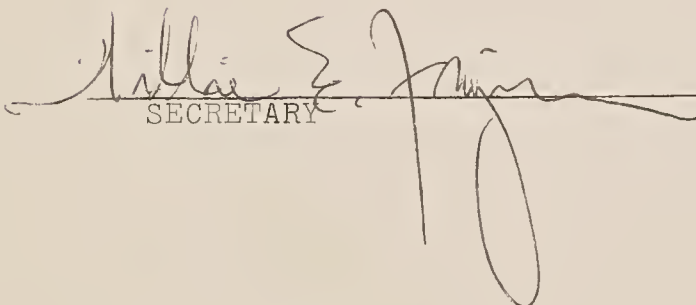
Daily average for the week sick	80
Daily average for the week disabled	<u>87</u>
TOTAL	167
Daily percentage for the week sick	4.02
Daily percentage for the week disabled	<u>5.30</u>
TOTAL	9.32

The report was ordered filed.

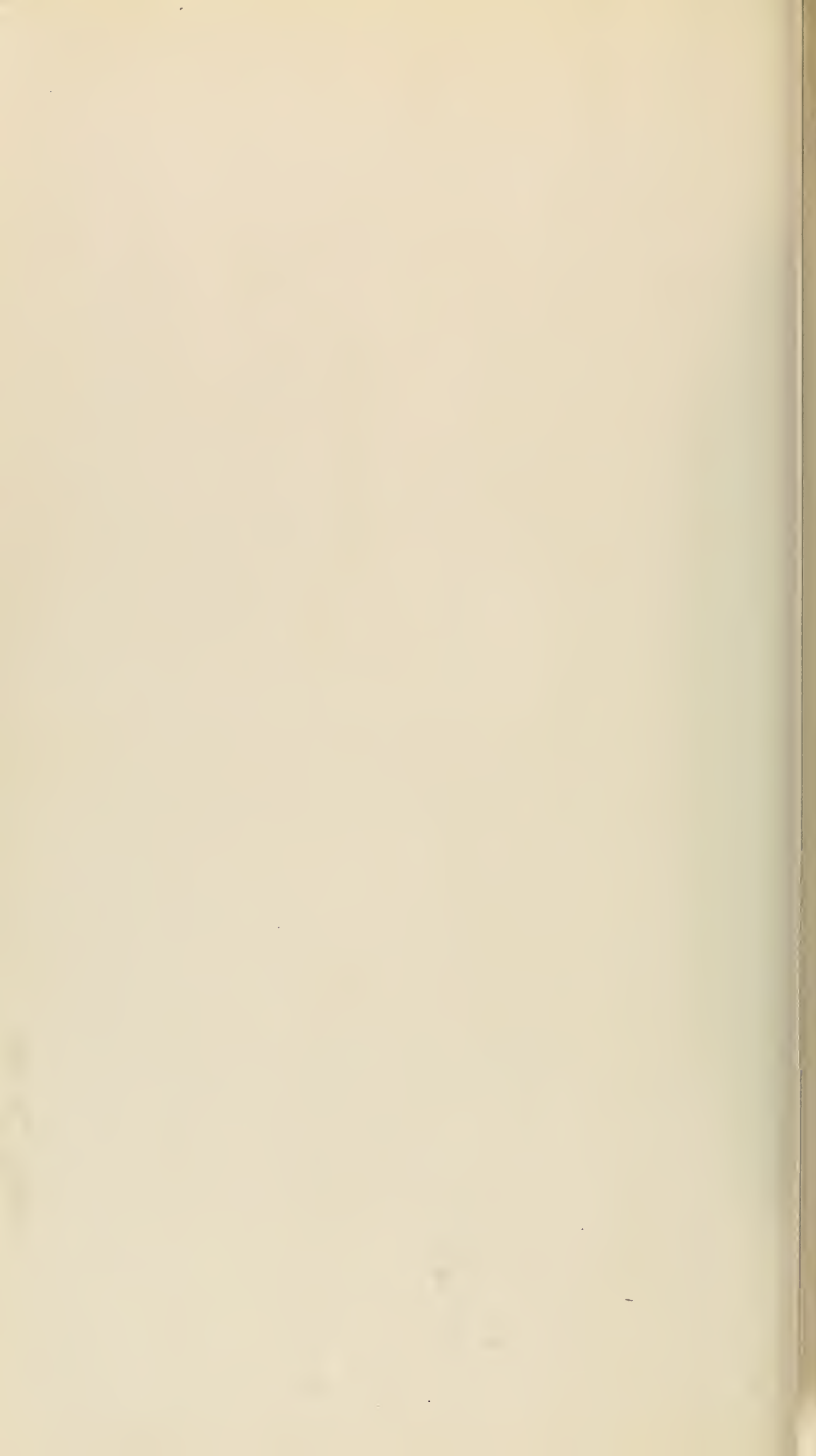
AYES: Commissioners Ciani, Hall, Siggins

NOT VOTING: Commissioners Gallegos, Murphy

The Commission then adjourned its meeting.



SECRETARY



9 MARCH 1977

REGULAR MEETING

Minutes

The ~~Police~~ Commission of the City and County of ~~San~~ Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 9, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Siggins

ABSENT: Commissioner Murphy

DOCUMENTS

APR 21 1977

Commissioner Siggins presiding.

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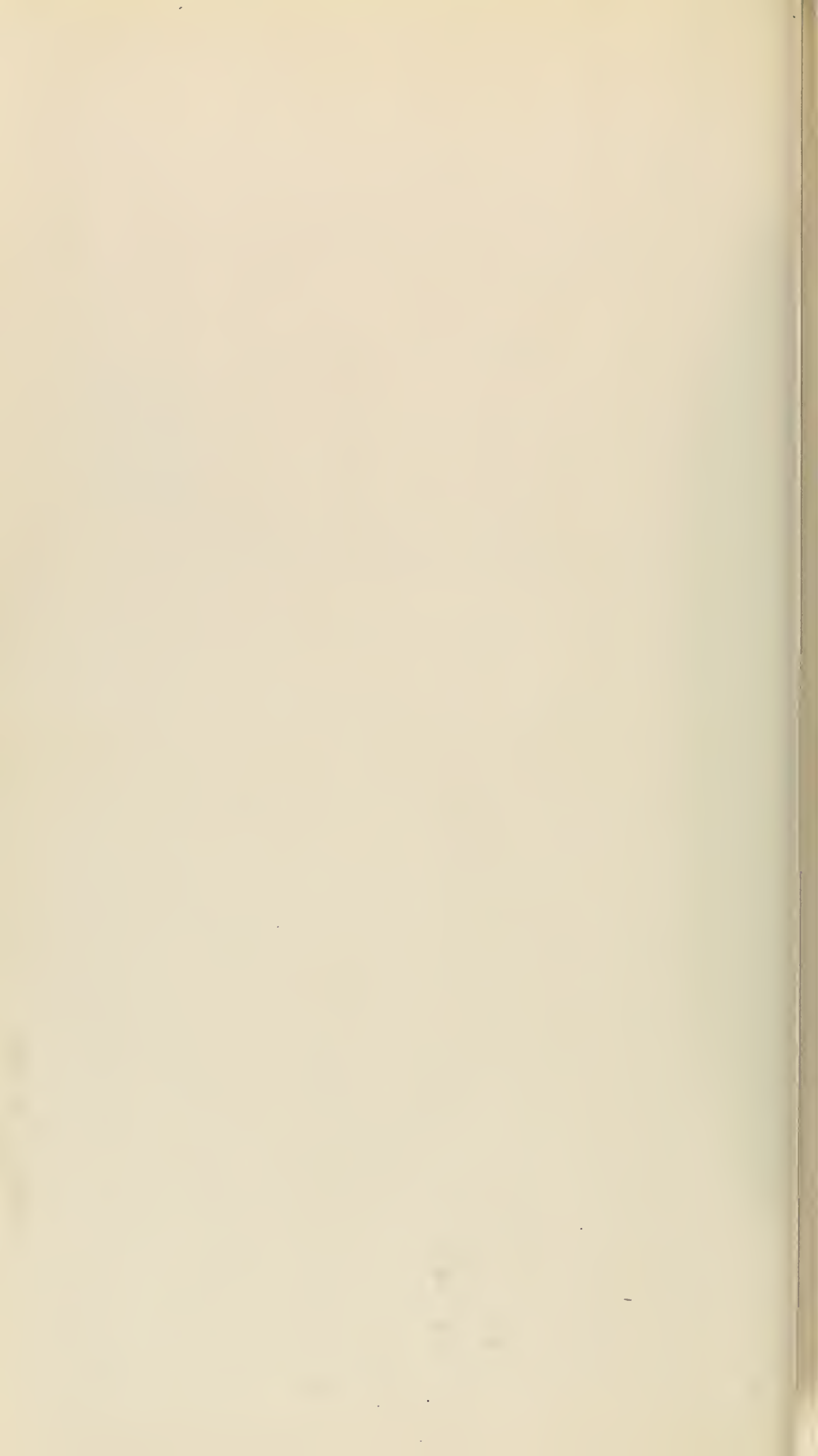
The members of the Commission, having been furnished copies of the minutes of January 26, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

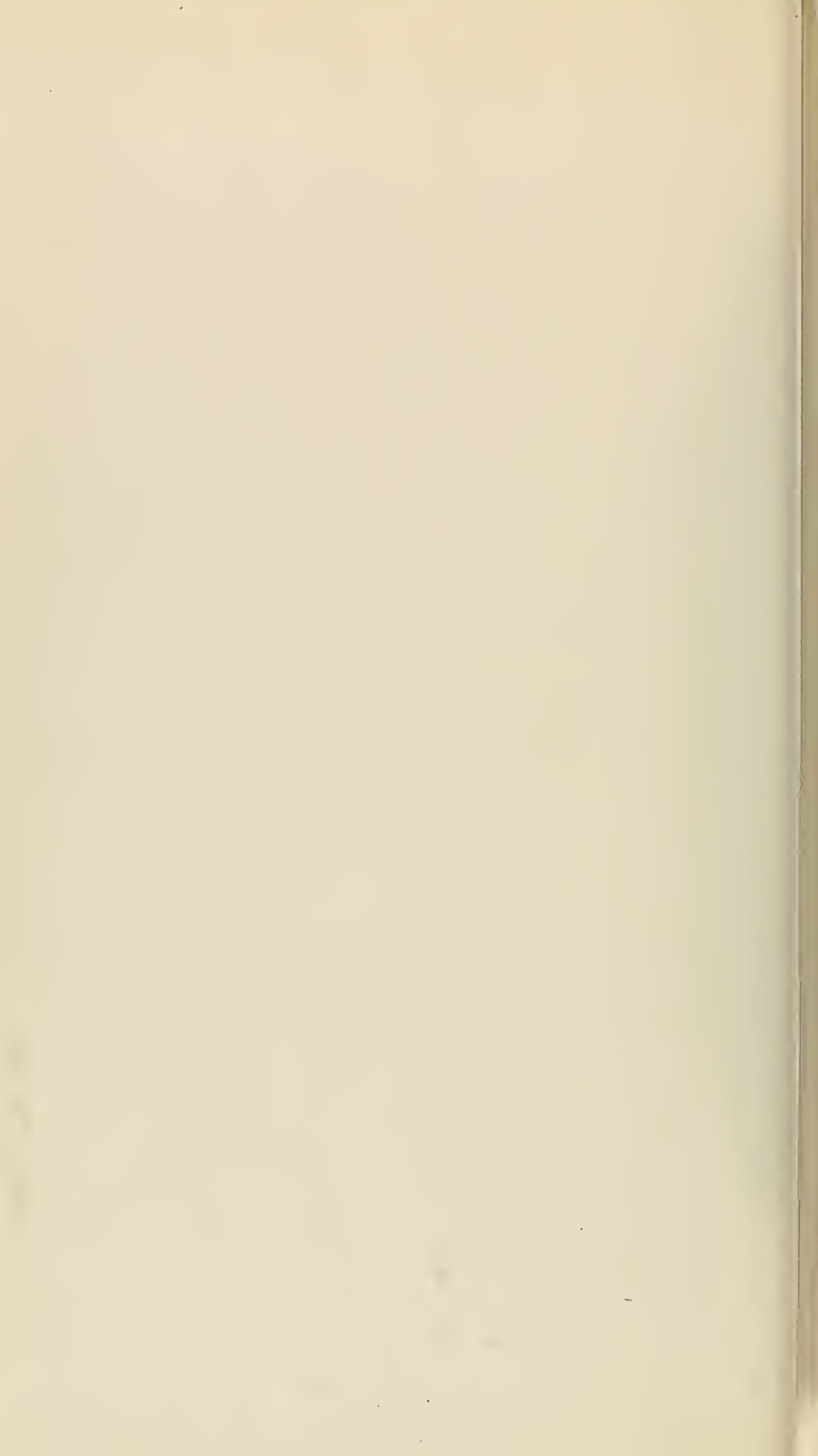
CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, Members of the Commission, my report tonight will consist of an explanation of the status of our bomb squad, their equipment needs and what is being done. Deputy Chief Taylor will speak to this issue also. I would like to say by way of introductory remarks, as far as the press release of the P.O.A., today, to the point of the Chief of Police attempting to cover up, that that statement is manifestly ridiculous. That obviously there has been no attempt to cover up conditions as regards to our bomb disposal function. We have a place in our current fiscal year budget request for needed equipment. Furthermore, a couple of weeks back, we submitted a request to the Law Enforcement Assistance Administration for about \$53,000 dollars worth of equipment. So we are using the device a budget request, in the city also through the Federal to get equipment and we're in addition to that purchasing equipment from the Chief's Contingent Fund. Furthermore, there has been in process for a considerable period of time, the development that we will receive a remotely controlled vehicle which will be of assistance in regard to explosive devices. A staff member met with other police department representatives and with state officials and there will be provided to the San Francisco Police Department and other police departments in California, selected ones, a portable remotely controlled vehicle with a TV camera and with arms and so on so that this



vehicle when there is an explosive device can be remotely controlled through the vehicle. It has the capability to break into a car window, for example, the camera will view inside, set off explosives as necessary or retrieve. These vehicles will cost about \$19,000 each, the bids are being opened on the 21st of March and then the manufacturers submit proposals, we then would be able to purchase them. The state people will be working on them and then a relatively short time after that then presumably we would acquire that type of vehicle. So when it comes to explosive devices it will enable our disposal personnel to remain a distance from the explosive device and have a video tape capability and so on. So that is being done. Now none of that is to say that we do not have problems. We have had problems insofar as I learned three weeks ago as to a storage facility for explosives. We have been storing some explosive cap devices within the building which should not have been done. But those problems have now been erased. There was also a problem in regard to personnel in our bomb disposal unit. At this point I would like to have Deputy Chief Taylor who has been addressing these problems speak to them."

Deputy Chief Taylor stated that the Department had received grievances from four members of the EOD Unit on the 2nd of March listing certain unsafe and unlawful practices being done in the EOD Unit. He stated they said it was located specifically in the CSTF Offices. He said among the other things that they alleged were that two members were transferred punitatively because they were apparently making an issue out of the fact that the department was in violation of the state law and Industrial Safety Relations Act. He said they also reported the defects to the California Industrial Relations Division CAL OSHA and we received an inspection yesterday by CAL OSHA Safety Inspectors and they cited the Department and gave us 14 days to correct two unsafe conditions. He said one is the maintenance of an improper magazine in the building and the maintenance of some explosives were used by the EOD technicians in rendering safe disposal procedures. He stated that they inspected the lockers with the OSHA people yesterday and found out that there was an excess quantity, 18 pounds of C4 explosives which is a relatively stable product and the Department will be receiving the citations officially in the mail. He stated that in the meantime they have removed all of the explosives from the bomb truck and the building. He said a 750 lb. grenade locker used by the Navy has since been removed from the building to the police range. He stated that the alleged punitive transfers were not, in fact, punitive but were the results of two factors, one the request of the Commanding Officer from the two weeks before to have the Sergeant involved transferred and then the request of the same Sergeant and his constant co-worker Officer Trainer to actually resign from EOD Unit duties. He stated that they received two other resignations from EOD officers at the same time approving two and will subsequently approve the latter two when qualified replacements are trained



Commissioner Gallegos then asked that when measures have been taken to comply with the state regulations precautions and purchase is made of this additional equipment will all of this bring the Department up to a minimum level or a maximum level or how far will the department be from what it should have in terms of a unit that reflects the safety of the officers using the equipment as well as doing the job.

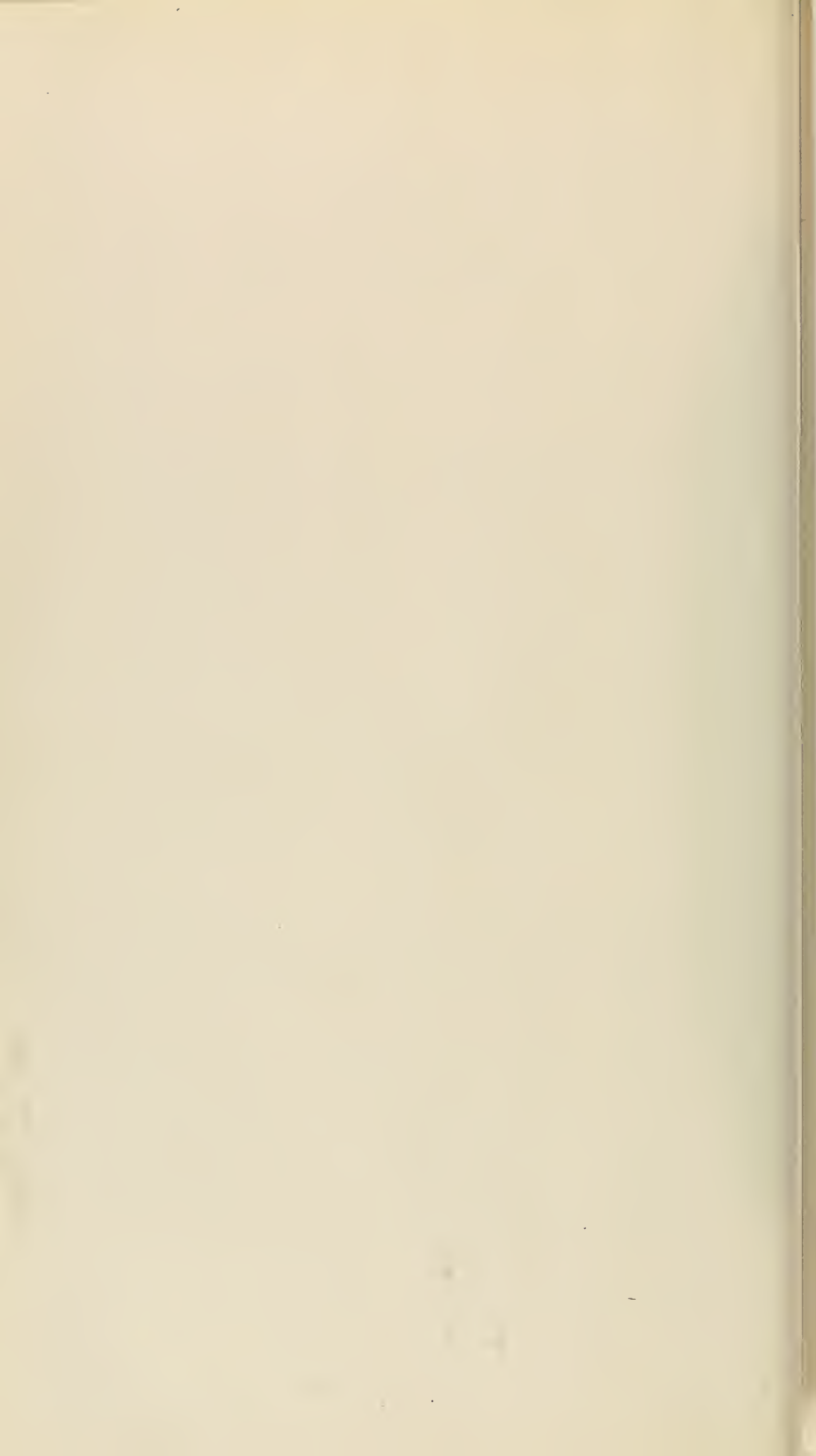
Chief Gain stated that when that equipment is attained then the Unit will have everything that it needs.

The Chief also stated: "Again we have problems, we need more equipment, we are in the process of getting that equipment. When I first learned about the problem two weeks ago for need for that equipment, we acted upon that. Now, addressing the SFPOA's press release, they state in their release, in part, that Chief Gain is attempting to cover up these dangerous conditions by transferring four of the best adequately trained technicians. That is ridiculous and I have to characterize it as a deliberate lie. Because there has been no attempt to cover up and as for this matter they state 'this is simply another matter of Gains inability to make innovative changes;' what in my impression the POA, did, which seems to be characteristic, was instead of inquiring as to what was going on they used this device in order to cause chaos and so on. They seem to be best suited for that unfortunately, but that is exactly what they did. Instead of determining what we were doing and that the problem was being worked on, they called a press release this morning and came out with that type of a document."

Commissioner Siggins: "Well, it is my fourteenth month as a Commissioner and it has been 14 months since I have seen anything that they have done to better serve the people of San Francisco in Law Enforcement and this is just another example of it."

Chief Gain: "It is interesting, here they say 'the following document of violation should be the subject of a Public Hearing if the Chief does not resolve the problems.' It is interesting, isn't it. Now the POA is mandating I do something within a certain amount of time or they will hold a Public Hearing. I hope they have one, I will attend it, because it will be a pleasure to confront the President of this association. He seems to hide behind something and come out with this irrational stuff. I hope they have the hearing. Maybe I will call the Hearing and invite him to come."

Commissioner Siggins: "We have invited them and they haven't come here."



Chief Gain: "A statement was made and I just want to make sure that it was understood by Deputy Chief Taylor in regard to fiscal matters, it is my definite impression and belief, that as far as city fathers, as is characterized, there has been no absence of any cooperation on their part. I am certain that when we submit request, and had they been submitted in the past and brought home to the Board of Supervisors, that this equipment was needed for safety purposes, the funding would have been forthcoming. So what I want to emphasize is, that they have not in any way done anything to preclude us from getting necessary equipment. I don't think that the matter was brought to your attention in the appropriate manner."

PRESENTATION ON RECRUIT SCHOOL CURRICULUM - RECRUIT SCHOOL TO BEGIN ON MONDAY, MARCH 14, 1977

Chief Gain stated that the Department had been working for some time as expeditiously as it could to put together the recruit school curriculum. He stated that the Department having hired Dr. Mimi Silbert as a consultant, had delivered to the Commission today a copy of the recruit school operations manual and a letter over his signature to the Commission requesting approval of the curriculum and also some rules and regulations governing the recruit academy which will commence on March 14. He stated that Dr. Silbert and Sergeant Doane are here tonight to give the Commission an overview of the curriculum. Dr. Silbert and Sergeant Doane then responded to various questions presented to them by the Commissioners.

The Commission then passed a resolution approving the Curriculum as follows:

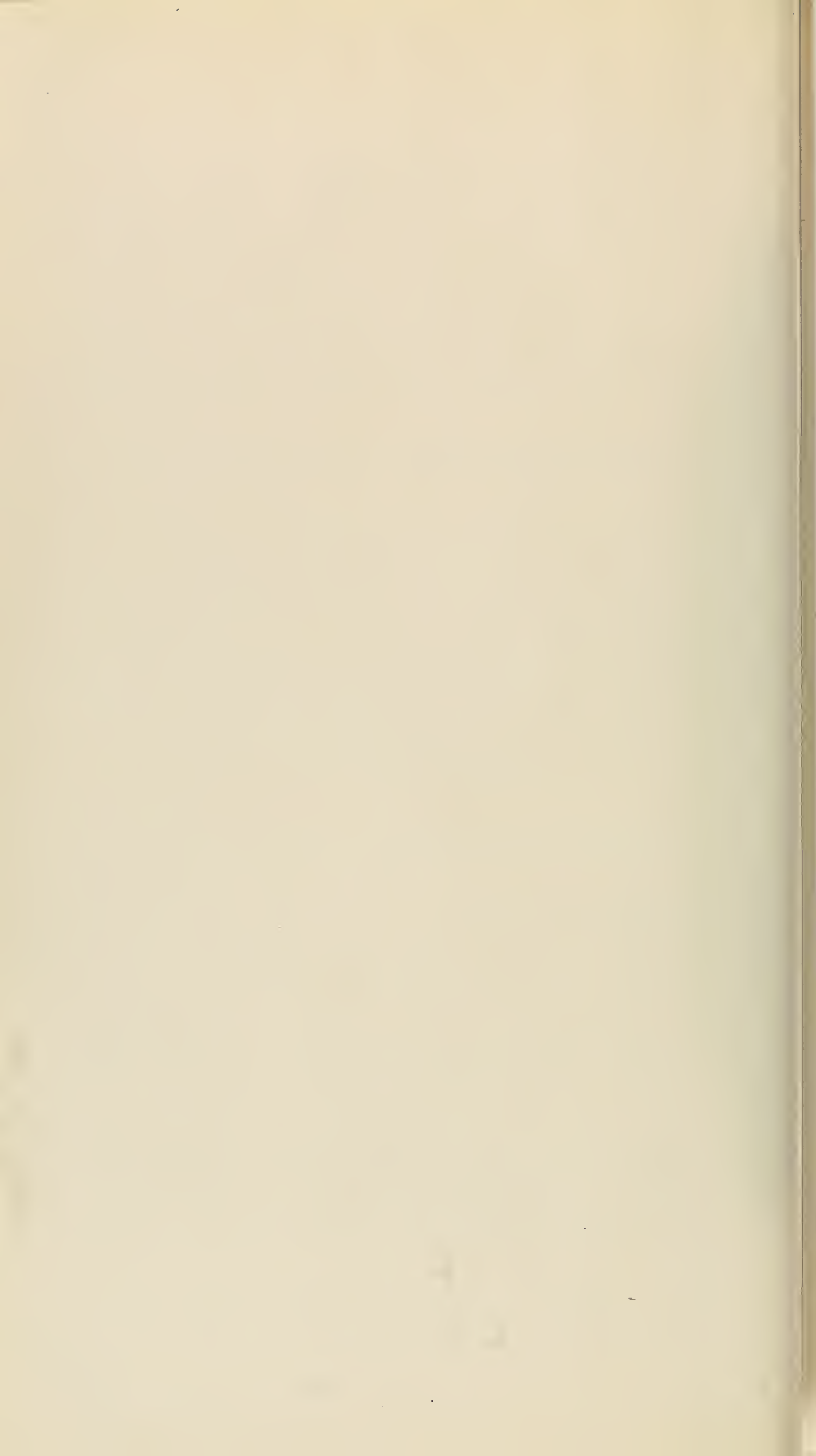
RESOLUTION NO. 97-77

RECRUIT SCHOOL OPERATIONS MANUAL - APPROVED

WHEREAS, on Monday, March 14, 1977, eighty (80) police officers will be sworn into the San Francisco Police Department and commence their training as members of the 128th Recruit Class; and

WHEREAS, the Academy training period for these new members will consist of a sixteen week curriculum which is a significant departure from previous recruit training programs. The training will be much more community oriented and will have as its basic objective the development of technically proficient and humanistic officers; and

WHEREAS, the Recruit Operations Manual has been submitted for the Commission's information and approval; therefore be it



RESOLVED, that the Recruit Operations Manual as submitted to the Commission on Wednesday, March 9, 1977, be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 98-77

AUTHORIZING ACCEPTANCE BY THE SAN FRANCISCO POLICE DEPARTMENT OF A DONATION OF \$53,000.00 IN VEHICLES AND EQUIPMENT TO PROVIDE THE SAN FRANCISCO POLICE DEPARTMENT WITH THOSE ITEMS NECESSARY TO CARRY OUT THE FUNCTIONS OF THE SPECIAL INVESTIGATIVE UNIT WHOSE PURPOSE IS TO DETECT TERRORIST TYPE ATTACKS.

RESOLVED, that the recommendation of the Chief of Police that the San Francisco Police Department be allowed to accept a donation of \$53,000.00 in vehicles and equipment to provide the San Francisco Police Department with those items necessary to carry out the functions of the Special Investigative Unit whose purpose is to detect terrorist type attacks, be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 99-77

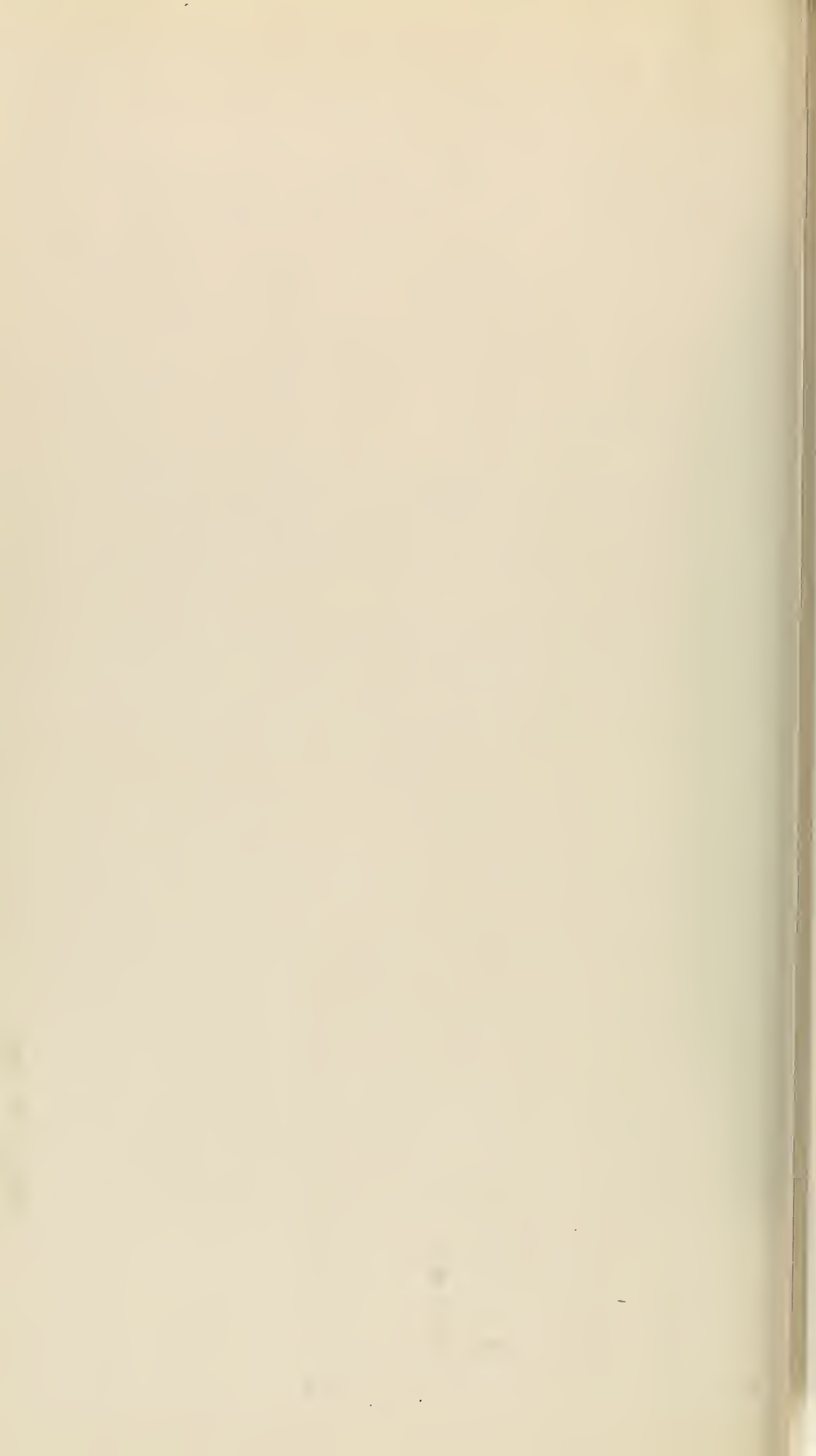
BUILDING AND GROUNDS PATROLMAN VERNON EASTER, SOUTHERN POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Building and Grounds Patrolman Vernon Easter, as follows:

SPECIFICATION NO. 1

Sleeping on Duty. (Violation of Section 2.101 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police; therefore be it



RESOLVED, that the hearing before the Police Commission on charges filed against Building and Grounds Patrolman Vernon Easter, Southern Police Station, be, and the same is hereby set for Wednesday, March 23, 1977, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 100-77

HEARING OF ASSISTANT INSPECTOR PATRICK A. WOLFE,
BUREAU OF INSPECTORS.

WHEREAS, the hearing of Assistant Inspector Patrick A. Wolfe, Bureau of Inspectors, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. George G. Walker, Attorney for the Defense, that the hearing for Assistant Inspector Patrick A. Wolfe, be continued to Monday, April 11, 1977; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Assistant Inspector Patrick A. Wolfe, is set for Monday, April 11, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

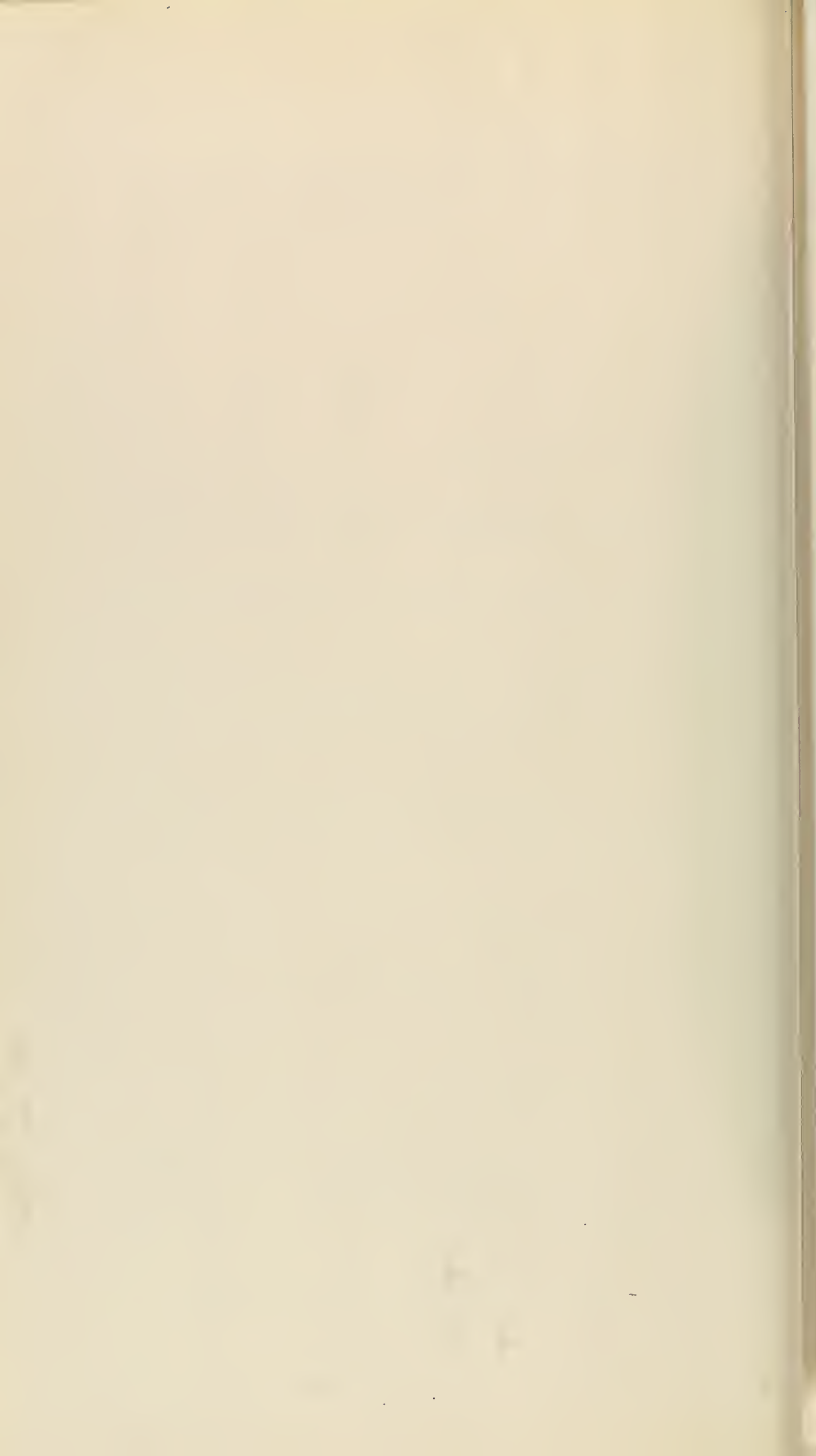
AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 101-77

APPROVING AND AUTHORIZING THE DEPARTMENT OF POLICE
UNDER APPLICABLE PROVISIONS OF THE CITY CHARTER, TO
APPLY FOR, ACCEPT AND ADMINISTER A GRANT OF FUNDS
FROM THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
FOR A PROJECT ENTITLED "PROPERTY CRIMES PREVENTION
PROJECT."

BE IT RESOLVED, that the Police Commission of the City and County of San Francisco does hereby



approve and authorize the Department of Police, under applicable provisions of the City Charter, to apply for, accept and administer a grant of funds from the Law Enforcement Assistance Administration, as follows:

\$400,000 For the purpose of utilizing existing Departmental activities in a new coordinated program to intensify anti-property crime initiatives.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

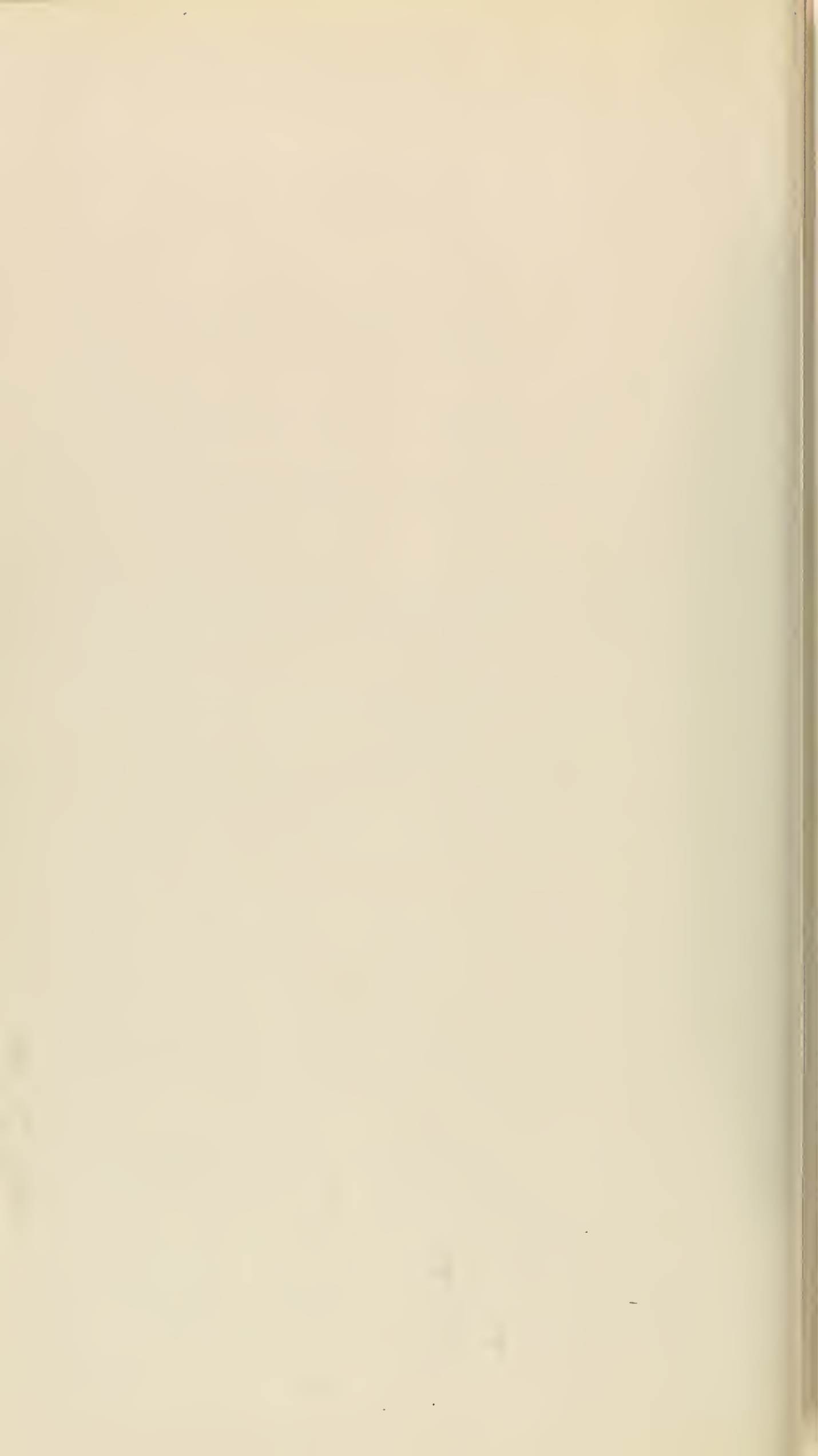
NOT VOTING: Commissioner Murphy

REQUEST OF MICHAEL THENO TO ADDRESS THE POLICE COMMISSION CONCERNING CERTAIN RECENT ACTIVITIES OF THE SAN FRANCISCO POLICE OFFICERS' ASSOCIATION.

Mr. Theno: "I would like, with your permission, to make a short statement that I have prepared. I am representing myself as a private citizen. My reason for being here isn't purely for myself. I was discussing this matter with some friends and thought what could one of us do besides sending a letter and so it was decided for one of us to appear here." Mr. Theno then read the letter he had presented to the Commissioners. (Copy of letter on file with Calendar Items of this meeting.)

Commissioner Siggins, after answering questions raised in Mr. Theno's letter stated that the Police Officers' Association does not run the San Francisco Police Department and will not run the San Francisco Police Department. He stated that the Commission is willing to meet with them when they think that they have any proposals that will help upgrade the Department in any way. He stated that he did not believe that the leadership of the Association represented the persons who are out on the street doing the fine and talented work Mr. Theno referred to in his letter.

Commissioner Ciani: "I too would like to commend you for noting in your remarks that there are many fine Officers who are doing a good job and I agree they are not well represented in some of the activities of their leadership. If I were a member of the P.O.A., I would be very concerned about the organization purporting to take positions for me on matters such as this which on the face of it would not peculiarly affect the interests of police. The purpose for which their leaders are elected is to look out for the interests of the members of the POA and not to be playing around in City politics that do not represent the interests of the



officers. I think it is a shame that the members of the POA are not better represented."

Mr. Theno: "I appreciate your comments and the opportunity to address you. I wanted to know your feelings as a Commission on this item because as I said, to me, I find it personally outrageous this kind of activity in a professional organization and I wanted this opportunity to present my ideas to you. So thank you very much."

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

550 ALABAMA STREET - MEXICAN FOOD PRODUCTS CORP.

- a) At 500 Alabama Street, install a 22' yellow zone, to extend 34' - 56' north of south property line.

2502 CLAY STREET - INNOVATIONS

- a) At 2502 Clay Street, install a 25' yellow zone, west from east building line.

1101 STANYAN STREET - PARNASSUS PRODUCE

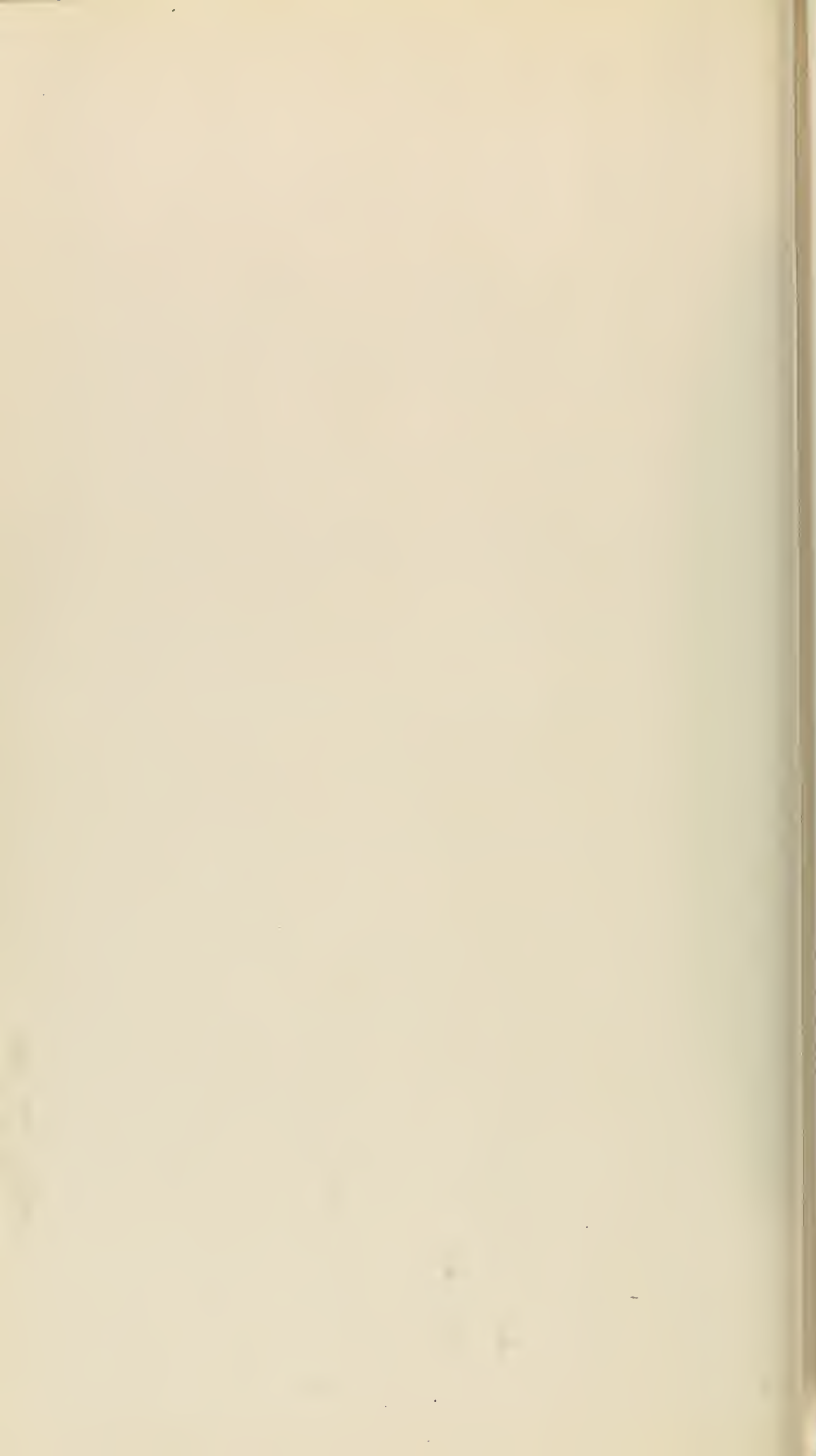
- a) At 1101 Stanyan Street, install a 25' yellow zone, to extend from 3' - 28' south of Parnassus (revoke existing green zone at this location.)

925 MISSION STREET - S.F. NEWSPAPER PRINTING CO.

- a) At 925 Mission Street, install a 28' yellow zone, to extend from 6' - 34' south of driveway.

925 MISSION STREET - S.F. NEWSPAPER PRINTING CO.

- a) At 925 Mission Street, install a 50' yellow zone, to extend from 15' - 65'



south of north property line -
revoke existing 50' red zone.

2200 - 23rd STREET - (FORMERLY THE RHODE HOUSE)

- a) At 2200 - 23rd Street, revoke existing 21' green zone, from 3' - 24' west of Rhode Island Street.

1145 BUSH STREET - (FORMERLY EXCLUSIVE CLEANERS)

- a) At 1145 Bush Street, revoke existing 22' white zone, 22' west of east line of building.

2598 SAN JOSE AVENUE - SAM'S MARKET & LIQUORS

- a) At 2598 San Jose Avenue, install a 22' green zone, to extend north from south property line.

19 SOUTH PARK - RAPTON TOOL & DIE CO.

- a) At 19 South Park, install a 19' yellow zone, west from east building line.

3330 GEARY BOULEVARD - SOCIAL SECURITY ADMINISTRATION

- a) At 3330 Geary Boulevard, install an 18' Blue zone, to extend from 2' - 20' west of east property line.

1898 HYDE STREET- SHIRLEY PELETZ GIFTS

- a) At 1898 Hyde Street, install a 22' green zone, to extend from 6'-28' south of north property line.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

REVOKED

RESOLVED, that the recommendation of the



Traffic Bureau on the revocation of 118 feet of green, red and white zones, at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RETIREMENT

A communication was received from the Retirement Board officially notifying the Police Commission of the retirement of Police Officer Cora Moore, Police Academy, for industrial disability, effective October 13, 1976.

The communication was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO.102-77

GARY KASTERNAKIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gary Kasternakis against the City and County of San Francisco in the sum of \$10.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 1, 1976

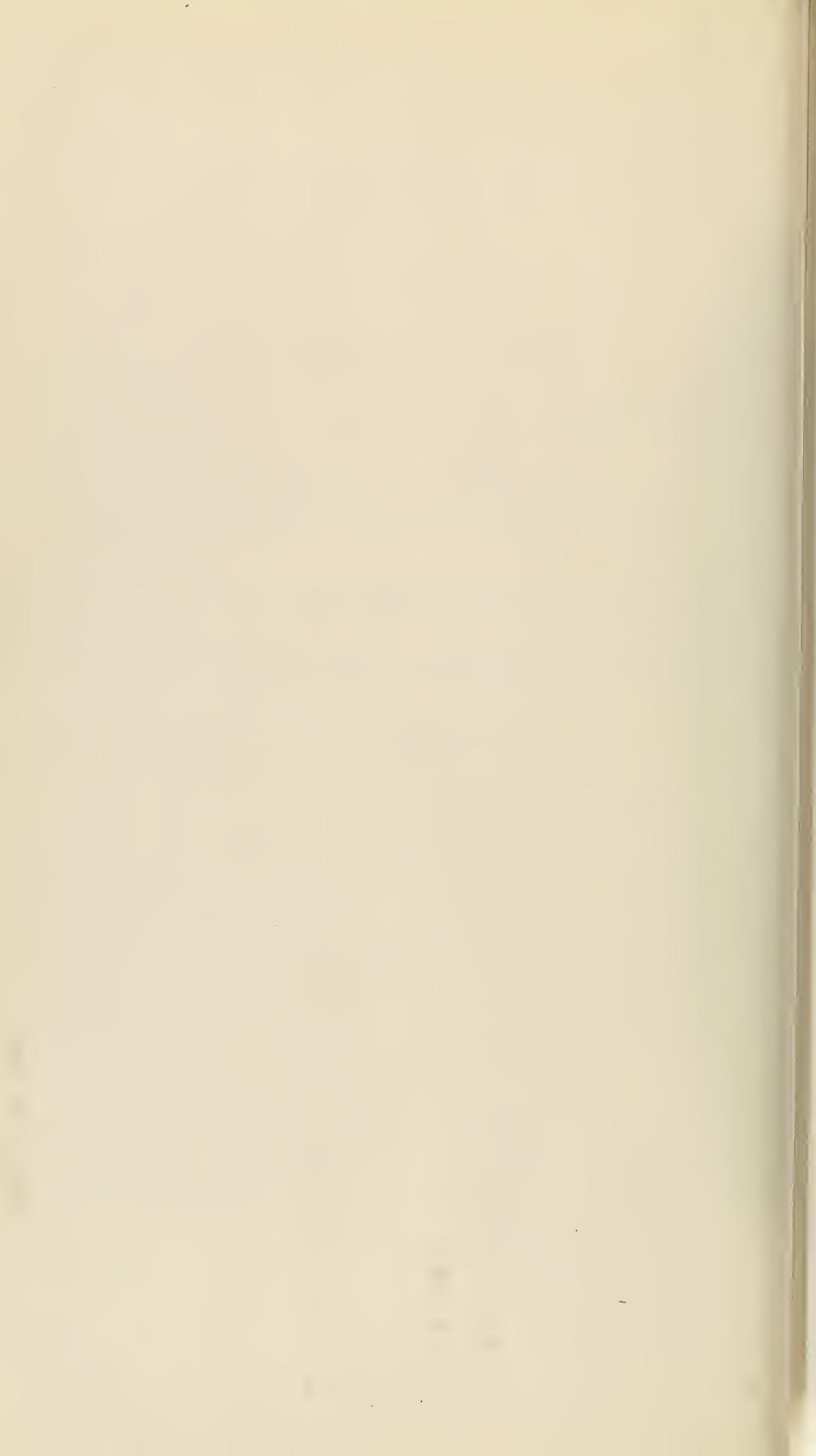
AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 103-77

HAROLD FERRER & TOM THORNER

RESOLVED, that the recommendation of the



City Attorney for settlement of the claim of Harold Ferrer and Tom Thorner against the City and County of San Francisco in the sum of \$500.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 21, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 104-77

WILLIAM L. RAY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William L. Ray against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 21, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 105-77

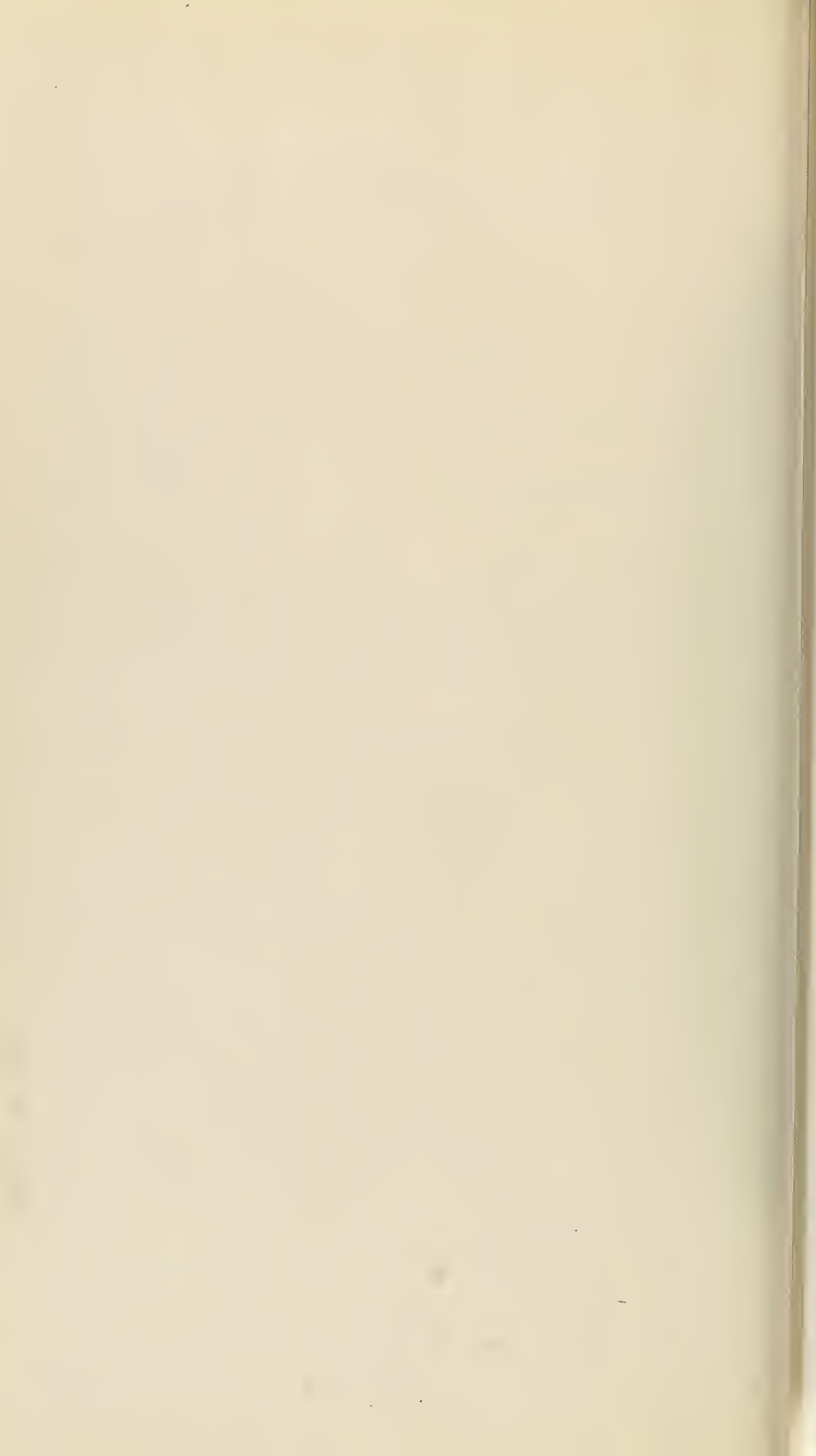
EDDIE L. MILES AND HIS ATTORNEY DON H. BANKS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Eddie L. Miles in the sum of \$1,250.00 in Superior Court Action No. 718-862 entitled, "Eddie L. Miles v. City and County of San Francisco" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 16, 1974

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy



RESOLUTION NO. 106-77

TWU-AFSCME-UCE JOINT COUNCIL AND THEIR
ATTORNEY IRWIN LEFF

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of TWU-AFSCME-UCE Joint Council in the sum of \$1,985.17 in a Judgment awarded for damages sustained in Superior Court Action No. 707-888, be, and the same is hereby approved.

Date of Incident: August 19, 20, 21, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

AUTHORIZING ATTENDANCE OF DEPUTY CHIEF CLEMENT D. DEAMICIS, DEPUTY CHIEF DONALD L. TAYLOR, CAPTAIN CHARLES A. SCHULER, AND CAPTAIN JOHN A. MAHONEY, AT A WORKSHOP ON MANAGING CRIMINAL INVESTIGATIONS AT THE SAN FRANCISCO AIRPORT HILTON HOTEL FROM MARCH 16, 1977 TO MARCH 18, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Deputy Chief Clement D. DeAmicis, Deputy Chief Donald L. Taylor, Captain Charles A. Schuler and Captain John A. Mahoney, be detailed to attend a Workshop on Managing Criminal Investigations, at the San Francisco Airport Hilton Hotel from March 16, 1977 to March 18, 1977, inclusive, be, and the same is hereby approved, and be it further

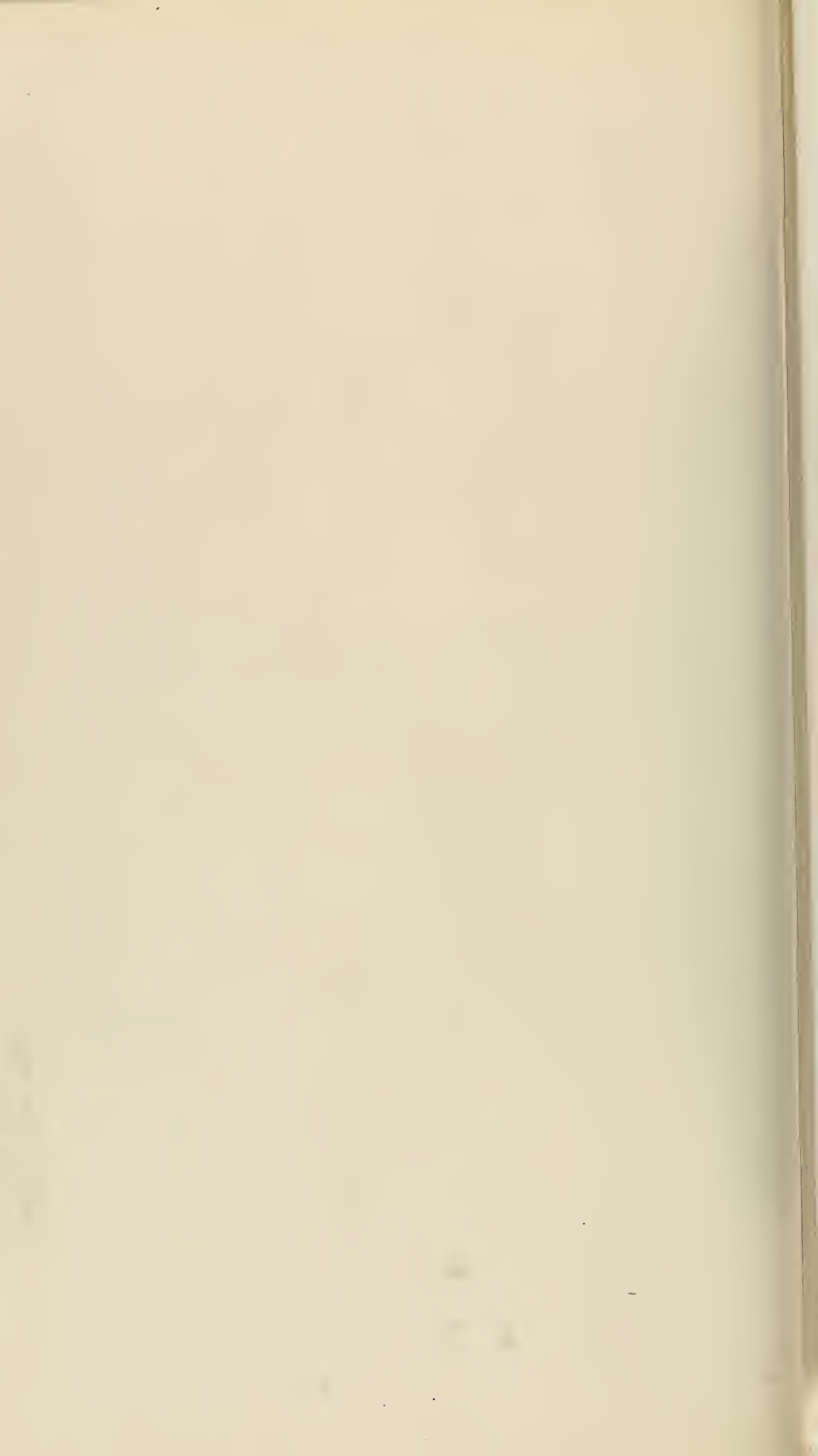
RESOLVED, that expenses incurred by Deputy Chief Clement D. DeAmicis, Deputy Chief Donald L. Taylor, Captain Charles A. Schuler and Captain John A. Mahoney, will be defrayed by the Law Enforcement Assistance Administration.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 108-77

AUTHORIZING ATTENDANCE OF INSPECTOR HAROLD M. SUSLOW, AT A CONFERENCE OF THE CALIFORNIA METAL INVESTIGATORS' ASSOCIATION AT LONG BEACH, CALIFORNIA, ON MARCH 24, 1977 AND MARCH 25, 1977, INCLUSIVE.



RESOLVED, that the recommendation of the Chief of Police that Inspector Harold M. Suslow be detailed to attend a Conference of the California Metal Investigators' Association at Long Beach, California, on March 24, 1977 and March 25, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector Harold M. Suslow in a sum not to exceed \$120.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 109-77

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expenses Voucher submitted by the following-named members of the Police Department for expenses incurred in attending the below indicated program; said expenses having been approved by the Chief of Police, be, and the same are hereby approved.

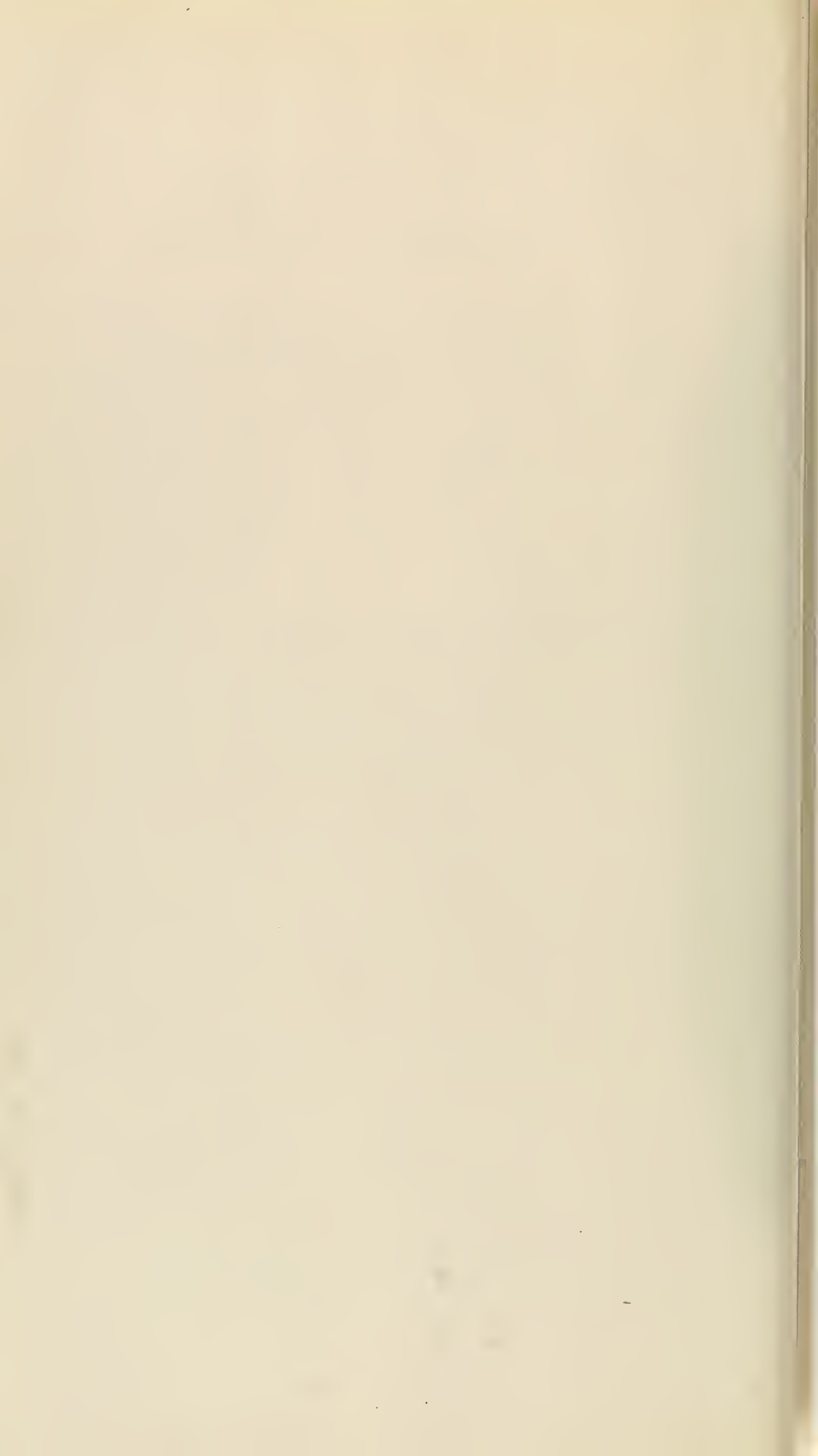
Inspector Edward Johnston	\$480.63	(Basic Drug Law Enforcement Train-
Inspector Raymond Skow	\$480.63	(ing Course at the
Police Officer Ronald Kern	\$480.63	(College of the Red-
Police Officer Daniel Lawson	\$223.65	(woods, Eureka, Cal-
		(ifornia, from Jan-
		(uary 31, 1977 to
		(February 11, 1977,
		(inclusive.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 110-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY LIEUTENANT ARTHUR D. O'KEEFE, CRIME SPECIFIC TASK FORCE, AT AN UNUSUAL INCIDENTS TACTICAL COMMAND TRAINING COURSE AT THE



COLLEGE OF THE REDWOODS, EUREKA, CALIFORNIA,
FROM FEBRUARY 22, 1977 TO FEBRUARY 25, 1977,
INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Lieutenant Arthur D. O'Keefe received permission from the Police Commission to attend an Unusual Incidents Tactical Command Training Course at the College of the Redwoods, Eureka, California; and

WHEREAS, Lieutenant Arthur D. O'Keefe did travel to Eureka, California, from February 22, 1977 to February 25, 1977, inclusive; therefore be it

RESOLVED, that expenses in the amount of \$170.00 incurred by Lieutenant O'Keefe while attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

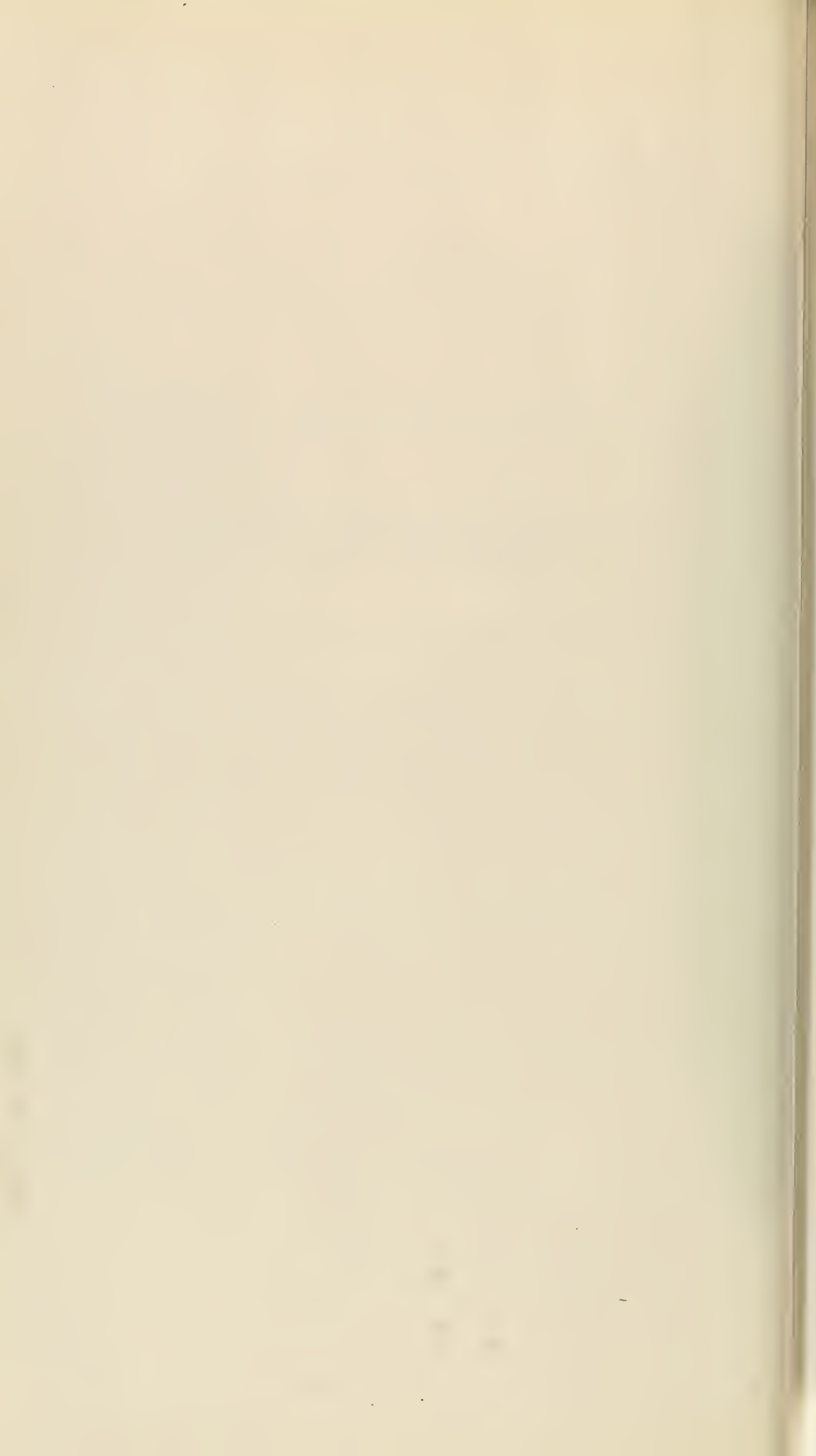
WEEKLY SICK REPORT.

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, March 1, 1977, as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	88	78
Daily average for the week disabled	<u>76</u>	<u>80</u>
TOTALS	164	158

This is an increase of six (6) members off duty daily from the previous week.

Daily percentage for the week sick	4.85
Daily percentage for the week disabled	<u>4.67</u>
TOTAL	9.52



Disabled at start of week	72
Started during the week	17
Returned during the week	10
Disabled at end of week	79
Net Gain or Loss	+7

SICK AND DISABLED FOR WEEK ENDING SATURDAY,
FEBRUARY 28, 1976 AT 2400 HOURS

Daily average for the week sick	71
Daily average for the week disabled	<u>98</u>
TOTAL	169
Daily percentage for the week sick	3.83
Daily percentage for the week disabled	<u>5.49</u>
TOTAL	9.32

SICK AND DISABLED FOR WEEK ENDING TUESDAY,
FEBRUARY 15, 1977 AT 2400 HOURS

Daily average for the week sick	73
Daily average for the week disabled	<u>84</u>
TOTAL	157
Daily percentage for the week sick	3.61
Daily percentage for the week disabled	<u>5.13</u>
TOTAL	8.74

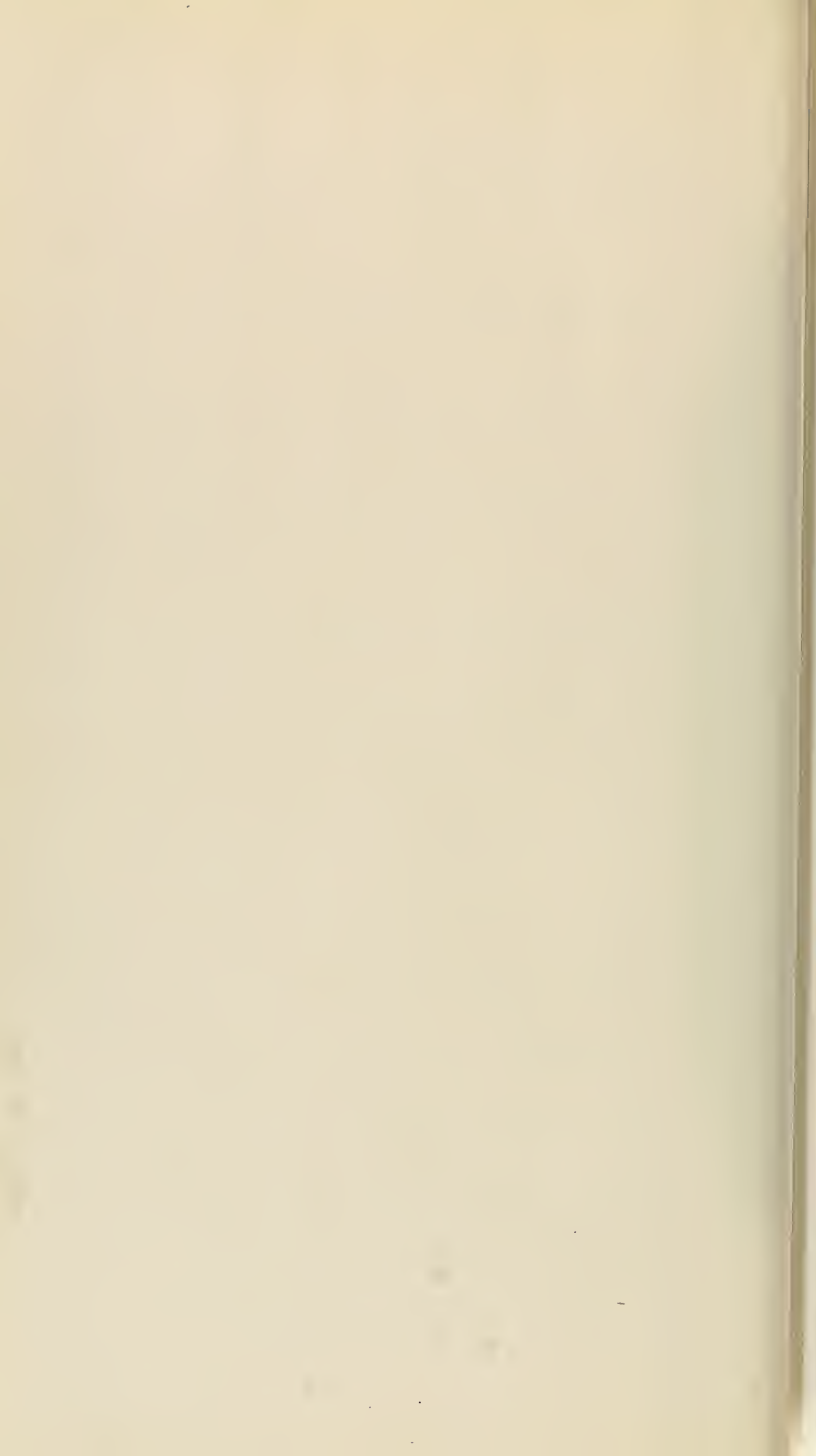
The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

YELLOW CAB MATTER DISCUSSION

Commissioner Ciani: "We have learned that there has been a receiver appointed for Yellow Cab. We are not being asked to make a decision but to discuss what would be in the best interests of the City as far as approving one or another type of offer for the assets of Yellow Cab. Presumably, they could be sold all in one log and syndicated thereafter to individual drivers. The question open for discussion is whether we would have any



indication of what we would perceive to be in the best interests of the City. I must decline, personally, to discuss the merits of such alternatives, for reasons previously stated for the record. However, others of you may wish to express your views."

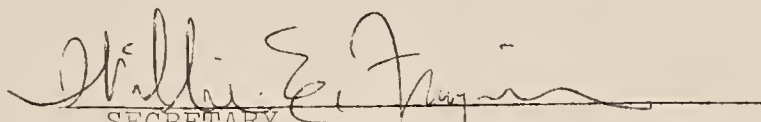
Commissioner Siggins: "I have talked to heads of the competing cab companies, I have talked to our Department in regard to policing, I have talked to a number of individuals and some of the leaders in San Francisco and I think that the City would be best served by having a larger organization come in and take over those permits or a major portion of those permits as a block, because complaints could be answered more efficiently. There are people who say that there are about 100 too many permits, the individuals who are running the cabs say that to sell individually and have them all on the street at the same time would be too many. There is nothing that we can actually do right now because the umbrella of the bankruptcy court covers any action that we can take but the receiver who has been appointed by the authorities to listen to the different proposals and I have told the different people who have contacted me that we would be interested in a company and I told him on the street as one Commissioner and that the others would have their own feelings. Other cities just don't have that many individuals without control running around with cab permits."

It was pointed out that another alternative is to have centralized management but to have the permits owned by individual owners; a third alternative is an "ESOP" in which title to the permits would be held by the corporation but the stock of the corporation would be held by the drivers.

The consensus of the Commission was a preference for some way in which the drivers would have a personal stake in the enterprise (either through ownership of the permits or ownership of stock in a corporation) and yet management would be centralized.

Further discussion was held on this matter after which Commissioner Ciani stated to Commissioner Siggins that the Commission would delegate him to discuss the feelings of the Board, expressed here tonight, with the receiver. Commissioner Siggins agreed and stated that he would meet with the receiver in the next two days.

The Commission then adjourned its meeting.


SECRETARY



16 MARCH 1977

Minutes

EXECUTIVE SESSION

The ~~Police~~ Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 16, 1977, in Executive Session at 1700 hours.

PRESENT: Commissioners Ciani, Gallegos, Murphy, Siggins

ABSENT: Commissioner Hall

DOCUMENTS

Commissioner Siggins presiding.

SAN FRANCISCO
PUBLIC LIBRARY

16 MARCH 1977

REGULAR SESSION

The members of the Commission, having been furnished copies of the minutes of the meeting of February 2, 1977, reading of the same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

PRESENTATION OF CERTIFICATES AND MEDALS OF VALOR

Commissioner Gallegos: "It was my pleasure to represent the members of this Commission at the Awards Committee Meeting that was held on Friday, February, 18. The meeting was called at the Hall of Justice which all the Chiefs, the Chief, Deputy Chief, and Supervising Captains and various Captains otherwise known as the brass were in attendance to listen to the nominations which were submitted nominating various officers for various acts of valor which they performed above and beyond the call of duty. I think each of the Commissioners will agree that it's really one of the high points of our service to listen to this tremendous experience reflected in each of the acts which have been nominated. Speaking for myself I would have voted a gold medal for each of the persons but I gave in to the voice of experience to the officers who have been through this before. We rescrutinized each nomination carefully and I assure you that each award recommended was reviewed with great scrutiny and care. It is with great pride that we bestow the various certificates and medals this evening.

Assistant Inspector George E. Matelli...Gold Medal

Assistant Inspector James J. Molinari...Gold Medal
Police Officer Larry A. Fiol.....Silver Medal
Sergeant Arthur W. Gerrans.....Bronze Star
Sergeant Charles E. Hoenisch,Jr.....Bronze Medal
Assistant Inspector Edwin M. Kenney.....Bronze Star
Police Officer Gregory A. Beatty.....Bronze Medal
Police Officer Charles M.Collins.....Bronze Medal
Police Officer Dennis M. Costanzo.....Bronze Medal
Police Officer Daniel J. Foley.....Bronze Star
Police Officer Robert J. Geary.....Bronze Star
Police Officer Ross E. Laflin.....Bronze Medal
Police Officer Peter R. Maloney.....Bronze Medal
Police Officer Vincent C. Neeson.....Bronze Medal
Police Officer Robert J. Rodriguez.....Bronze Star
Police Officer Scott Thomas-Resigned....Bronze Medal
Inspector James P. Deasy.....Meritorious Certificate

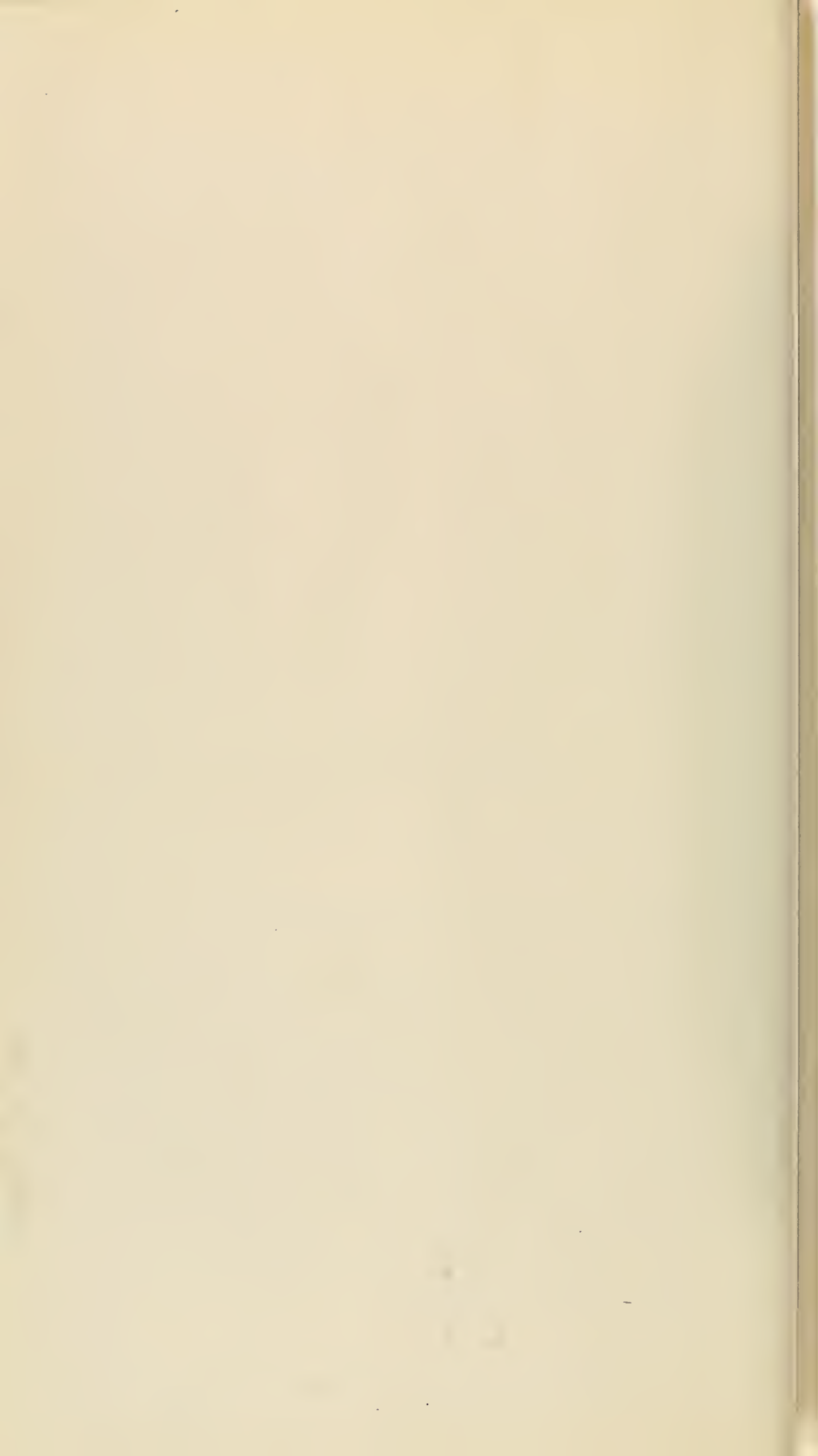
AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, the report tonight consists of some comments on crime, with your permission. And then I have asked Lieutenant Charles Beene of the Street Crimes Unit to come tonight to give an explanation of what this unit is about and what it is accomplishing. As you know from the monthly crime stats we've had some demonstrably decreases in serious crime categories and we point out in that monthly report that the street crime unit, because of the methods taken and the results that we are accomplishing is due a great amount of credit for reductions in crime particularly in the Tenderloin area. I know if you have read the papers and perhaps seen on TV, some of the methods and techniques and so I thought we would bring the expert tonight whether he is going to act for you or not I don't know but he will give you an explanation of what we are doing and how we are doing and what the results are."

Lieutenant Beene: "On the Street Crime Unit, which was formed on the day after Thanksgiving last year, is a non-uniform anti-crime unit centrally located here in the Hall of Justice mobile able to deploy the forces throughout the high crime areas of San Francisco on the basis of statistics and planning



Our goal is to reduce the problems of violent street crime in San Francisco. We feel that the citizens of San Francisco are concerned about their personal safety. We feel that the type of crime that we are talking about is the kind that is committed forcibly and victims are chosen at random, except the more defenseless the person is, the more likely they are to be victimized. Talking about the elderly, the old, people that become sick, or disabled on the streets of San Francisco, in some instances we try to prevent the crime, interrupt the crime in progress. Or, as you have probably seen in the papers now, we take the place of the potential crime victim in a decoy action. The police officer male or female, takes that position. That's the part that sometimes makes the paper. However, we do the other surveillance work also. We do this to become anonymous invisible citizens who can move freely about the street, specified to certain high crime areas dictated, so that the plan is to know where the crimes are going to happen, and who they are likely to happen to. We have heavily screened officers, experienced police officers, who have been given additional training and so forth, moved them into that area and then they try to attempt to interrupt that criminal process. And I feel at this time we have been successful with the program. We are going after the felony street crime, aggravated assault, robbery, both armed and strongarm, grand theft from the person, rape, or any of those vicious crimes that happen on the street. Our tactics are to blend into the area, observe the crime, interrupt it, and make arrest. That's the basic tactics. We were going fairly well, we doing more observation type work until the end of January, this year when Chief Gain sent me to New York City to study their Street Crime Unit for two weeks. And there I feel we were able to determine, in fact, the Commission here actually sent me because they okayed the trip and we learned the techniques they have been using for the last five years in this type operation and that put all the things together. When I returned February 15, I taught those techniques to the 60 officers we have in the unit and from there we've been moving right ahead. We've been catching a lot of these criminals."

Commissioner Murphy: "How many arrests have you made, say, in a month's time or in a weeks time that you think you might not have made if you hadn't learned this particular technique?"

Lieutenant Beene: "Since February 15, to March 15, we've made 357 arrests, 333 were felony arrests and we arrested 321 in the decoy operation, which is one reason the criminal element weren't used to these tactics, so some of them are just now getting the word around the streets they have become more highly suspicious of this as they start to get the word of mouth. We try to publicize it heavily to try to show the criminal not to attack helpless people, but we don't try to conceal the fact that we are doing this we go the opposite way we would just as soon not arrest them as I said in court, did we want the wallet



or camera, or something taken when we went out there? No, we do not. It means if we had acted properly and the wallet does not get taken, that the streets are safe for someone to walk the streets. But the word does get out and we have to go into better techniques of acting and more observation patrol. But over the whole period over 172 knives have been taken off suspects, illegal knives and 39 guns since the program, but now not just for last month, the first figures I gave you were 357 arrests, 333 felonies, about 85% or 90% felony rate. The other part of that is an evaluation on the conviction rate which we feel tells us that are monitoring our techniques and we just got those figures in on 87 of our cases which went to the courts up to today. 40 have plead guilty, 35 held to answer in superior court, two have skipped and have bench warrants out for their arrests, and 10 were dismissed so we feel that's a high rate. That is almost 87%."

Commissioner Murphy: "How many attempted rapes have you interrupted, do you know? I noticed on the big 19's that a number of rapes have been committed or have tried to be committed in the doorways of apartment buildings."

Lieutenant Beene: "About three weeks ago Police Officer Camelia Franklin who was disguised as an elderly woman in the 600 block of O'Farrell Street, was attacked by a suspect who had done 9 years for assault with intent to commit rape. He had just finished five years for assault with intent to commit rape and when he attempted to drag her into the doorway, the backup team was right there to capture him. He said please don't arrest me, I just got out of prison for the same thing. So that's the only particular case I can think of. We have had 4 or 5 cases where the suspect was armed however he didn't use the weapon with our techniques. We try to make the techniques so that they are safe to the citizen, they are also safe to the police officer and if our techniques work properly there will be no resistance by the suspect either. It is better all around."

Chief Gain: "How many of the perpetrators have prior arrest convictions, do you know?"

Lieutenant Beene: "We did a study, Chief, on the first hundred from the record we have back so far 84 out of the hundred, 73 adults had records. They had an average of 12 felony arrests each. They had an average of 14 misdemeanor arrests each then there were 13 juveniles that were arrested out of the 1st hundred and all had previous records. They had an average of three felony arrests and something like 3 or 4 misdemeanor arrests. So that was one indicator to us to show us that we are on the right track and these people are pretty disposed to this type of criminal act and that we are not getting, "too many original arrest."

Commissioner Ciani: "I would like to ask you to



comment on something, but first of all I'd like to congratulate you and all the officers in your unit. This is wonderful work and the recent lowering of crime statistics is largely attributable to the work of this unit. We have heard a lot about low morale in the department and I understand that the successes of the officers in your unit have resulted in some increased esprit de corp and heightening of morale. I would like you to comment on that."

Lieutenant Beene: "Really off hand from my own point of view I do not comment on such things. Morale does not come from outward, since I've been a police officer for 17 years, morale, for me, comes from within. I like police work, I end up working at places where officers around would like to do police work. We do police work and we do not worry about what our morale is, we enjoy doing police work."

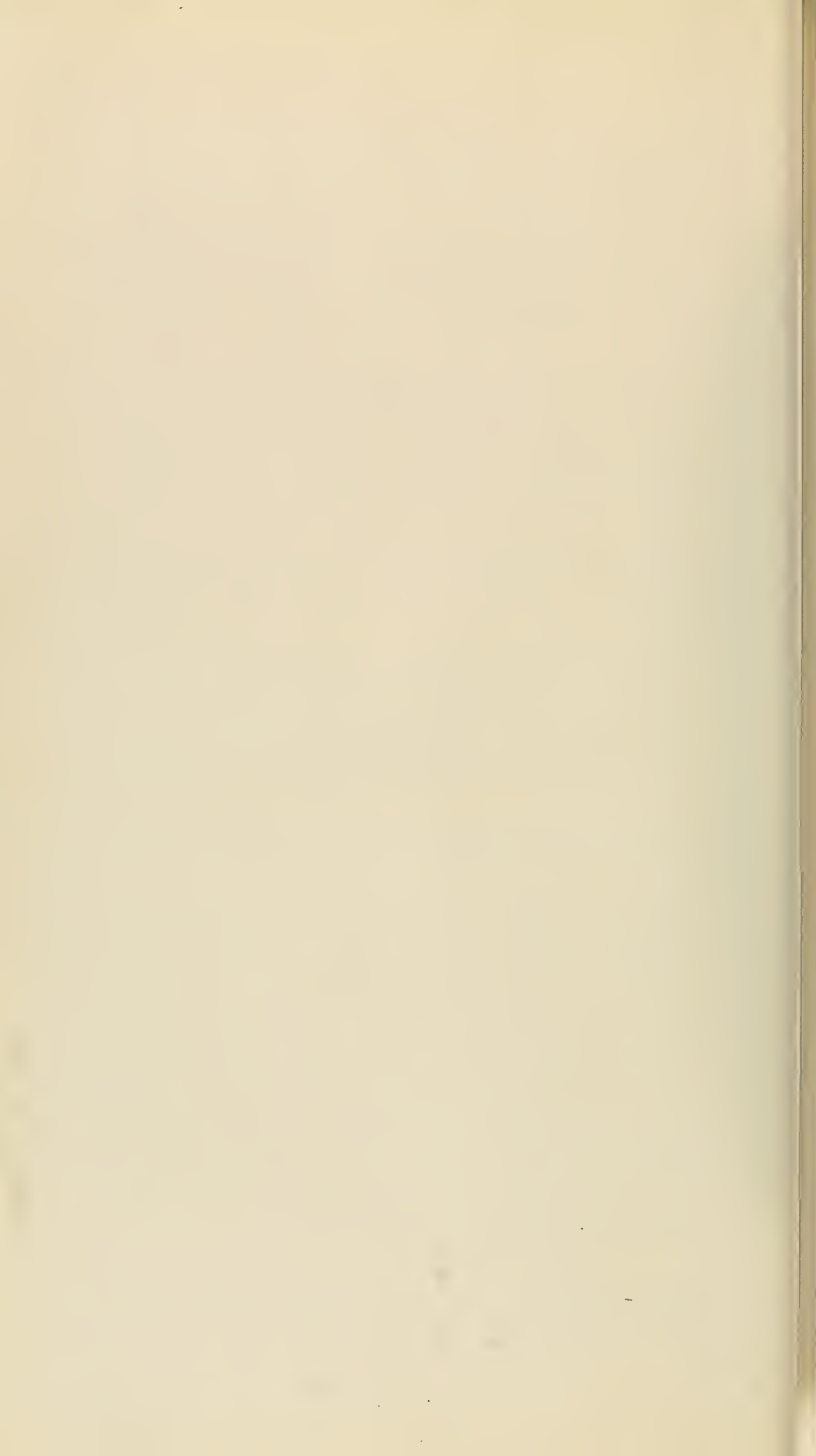
Commissioner Ciani: "But the successes have bouyed the spirits of the officers in this unit, I understand."

Lieutenant Beene: "Success always breeds success of course and that's what we attempt to do, and therefore our supervisors have good rapport with the men in the unit along with our commanding officer and up and down the chain of command therefore if we are doing a good job we get credit but that again does not make my morale go up or down. I like to do police work."

Commissioner Gallegos: "Do the officers volunteer for this or are they assigned?"

Lieutenant Beene: "They are all volunteers that is one of the secrets to the success. And then they are screened heavily, they must be experienced, because we have had about five minor injuries in all those arrests however, the decoy tactics is highly successful but it could possibly be very dangerous. As the decoy has to rely on the backup team who are some distance away. Depending on their ability and we are getting the type of people that have been armed and they have robbery in mind, however, our techniques avoid that but not always. Some of them have retrieved a wallet and then kicked our men, our decoy or knocked him down or shoved him. And we have techniques that avoid that problem but it's dangerous work. You know so, I can't demand a person to be a decoy under those circumstances. They are volunteers and if you want to say esprit de corp it's good but we have many that like to be decoys."

Commissioner Murphy: "You indicated this but do you think that the training you got in New York was invaluable compared to the training and additional know-how you already had?"

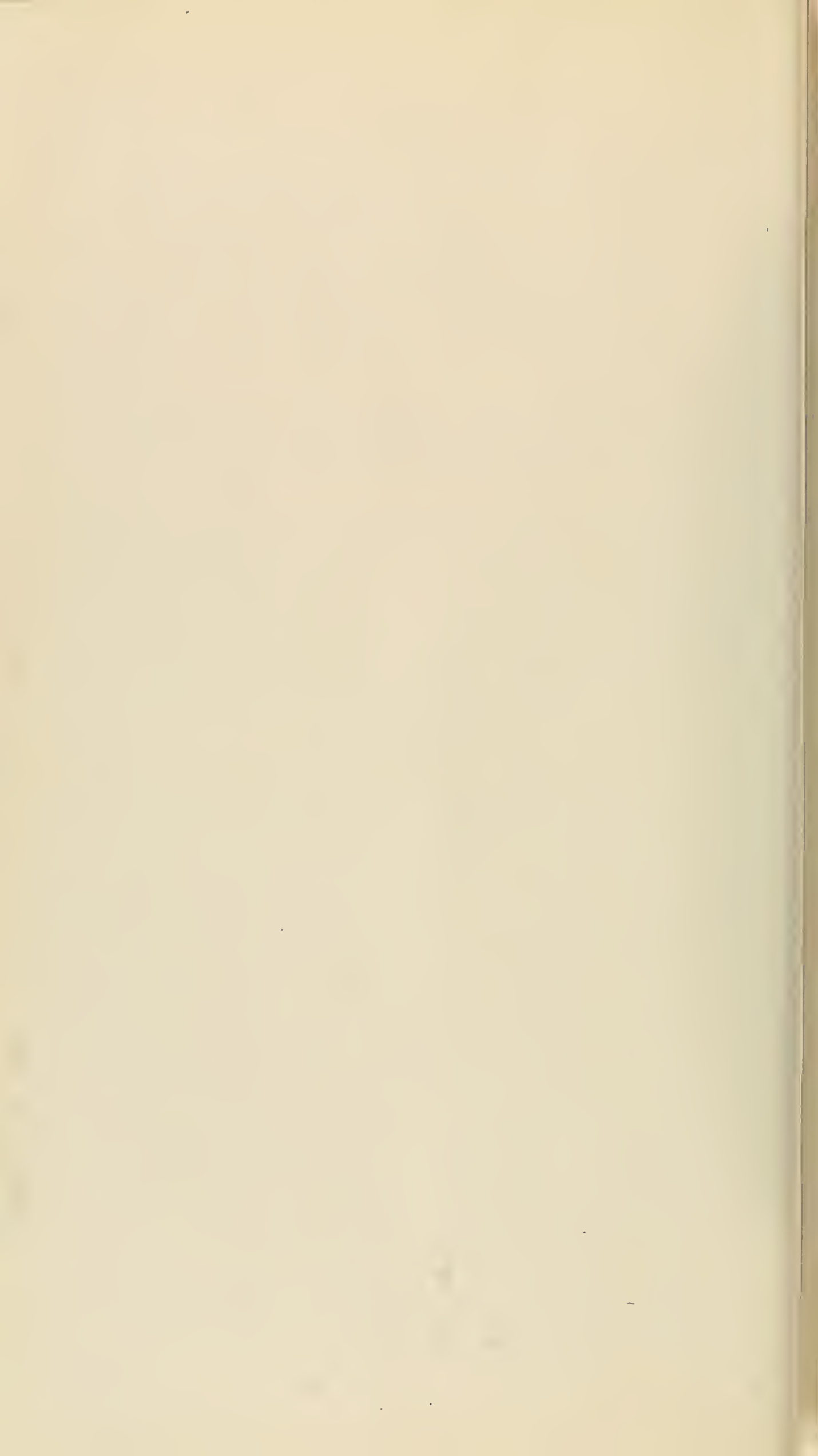


Lieutenant Beene: "Invaluable, invaluable, I saw work from the street cop, I rode with them every night I talked to supervisors, commanding officers, up and down the chain of command and I saw techniques to evaluate and make the thing go right. Things I hadn't thought about in my years here it added to that experience and of course I got it from the bottom up and from the top down. Many of the forms that I use are copied from a New York City Street Crime Unit. They were exceptionally fine people and really assisted us, I believe back there."

Commissioner Murphy: "You're just telling us what we believed all along, that training pays, the more training you get, the better you can do your job."

Lieutenant Beene: "Crime Prevention Company or Crime Specific Task Force, I have been around a lot of these policemen for many years, they are the same caliber as the officers I saw in the cream o' the crop type unit in New York City, but we are missing on some of the techniques, so the training needed to be done. Now that my officers have the techniques and I'm not boasting, but I can give them in a few hours of training and assist them, they are as good as New York City Police Department. I wouldn't put our guys down at all, but we did need the training. And that's what we gained from that."

Commissioner Siggins: "Thank you very much Lieutenant Beene." Chief Gain: "One thing I want to emphasize too is that we're convinced that given resources and innovative measures that the officers are taking particularly under Lieutenant Beene's leadership, we can in fact have very favorable effect on reducing street visible crime such as strongarm robberies and forcible rape on the streets. That's the whole essence of police work. When it comes to crimes itself, residential burglaries and crimes committed outside the visibility of the police, it is very difficult. What we are going to find in our reported crime, in the actual crime occurring, is that with resources and with this type of techniques, we can reduce street visible crime and we find residential burglaries may go up and the general theft category may go up so we are getting results now that would pertain to it. We do have an item, we didn't set the stage for, the supplemental budget request but the pointed fact is that funding that was provided for by the Mayor and Board of Supervisors from the day after Thanksgiving through March 15, is just about run out, we have just about \$100,000 so what we've done, we've analyzed supplemental budget requests, because we want to continue this unit of course with results from overtime pay until the present recruit school terminates which will be in July. That is an agenda item we will be discussing later. This unit is so significant that if we can continue it as a bridge of the officers in school and the vacancies, we feel that we can continue with these type of results. I have talked to



a couple of my colleagues in other cities and you may know them Lieutenant Beene, and they know something is going on here because some of our persons who commit crimes, I understand, are going elsewhere to do it. So that displacement factor is to your credit. That concludes my report."

RESOLUTION NO. 120-77

AMENDING PART II, CHAPTER 8, OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY AMENDING SECTION 1088 THEREOF TO DELETE THAT PORTION OF SECTION 1088(f) WHICH REQUIRES THAT JITNEY BUS OPERATORS BE CITIZENS.

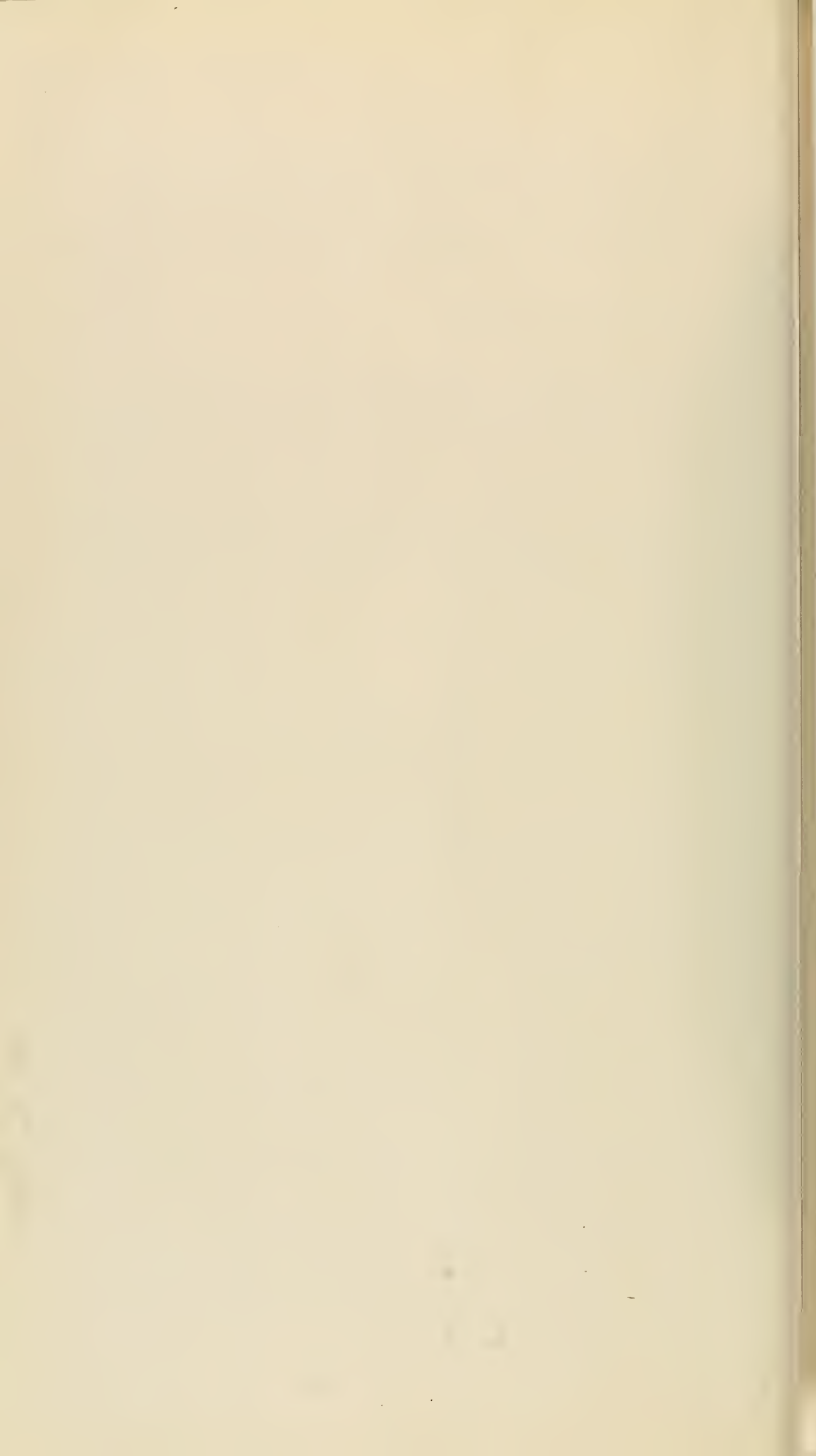
RESOLVED, that the Board of Supervisors, be, and they are hereby requested to Amend Part II, Chapter 8, of the San Francisco Municipal Code (Police Code) by amending Section 1088 thereof to delete that portion of Section 1088 (f) which requires that jitney bus operators be citizens, as follows:

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter 8, of the San Francisco Municipal Code (Police Code) is hereby amended to read as follows:

SEC. 1088. Requirements of Application. Application for a "jitney bus" permit shall be made in writing and filed with the Chief of Police annually on or before the 15th day of December and shall state:

- (a) The type of motor vehicle and the name of the manufacturer or popular name thereof;
- (b) The horsepower thereof;
- (c) The factory number and state license number thereof;
- (d) The seating capacity thereof according to its trade rating;
- (e) The name of the owner or lessee and of the person to be in immediate charge thereof as operator or chauffeur and the number of his state license,



- (f) That the operator has been a resident of the City and County of San Francisco for more than one (1) year; or now has a permit and has heretofore taken out his first papers;
- (g) Whether the driver has had a six (6) months' experience in operating automobiles over the streets of the City and County of San Francisco as hereinafter provided;
- (h) That the driver is physically qualified to drive a motor car safely and that said driver's hearing and eyesight are unimpaired;
- (i) The streets over which the applicant proposes to operate; subject, however, to change upon written application to and approval by the Chief of Police;
- (j) The driver shall pass an oral examination as to knowledge of traffic laws and rules of the city and county;
- (k) The signature of each applicant shall be acknowledged before a notary public or some other officer or magistrate duly authorized to administer oaths. At the same time and in the same manner as herein provided, application shall be made to renew the chauffeur's permit by each and every operator or chauffeur of a "jitney bus."

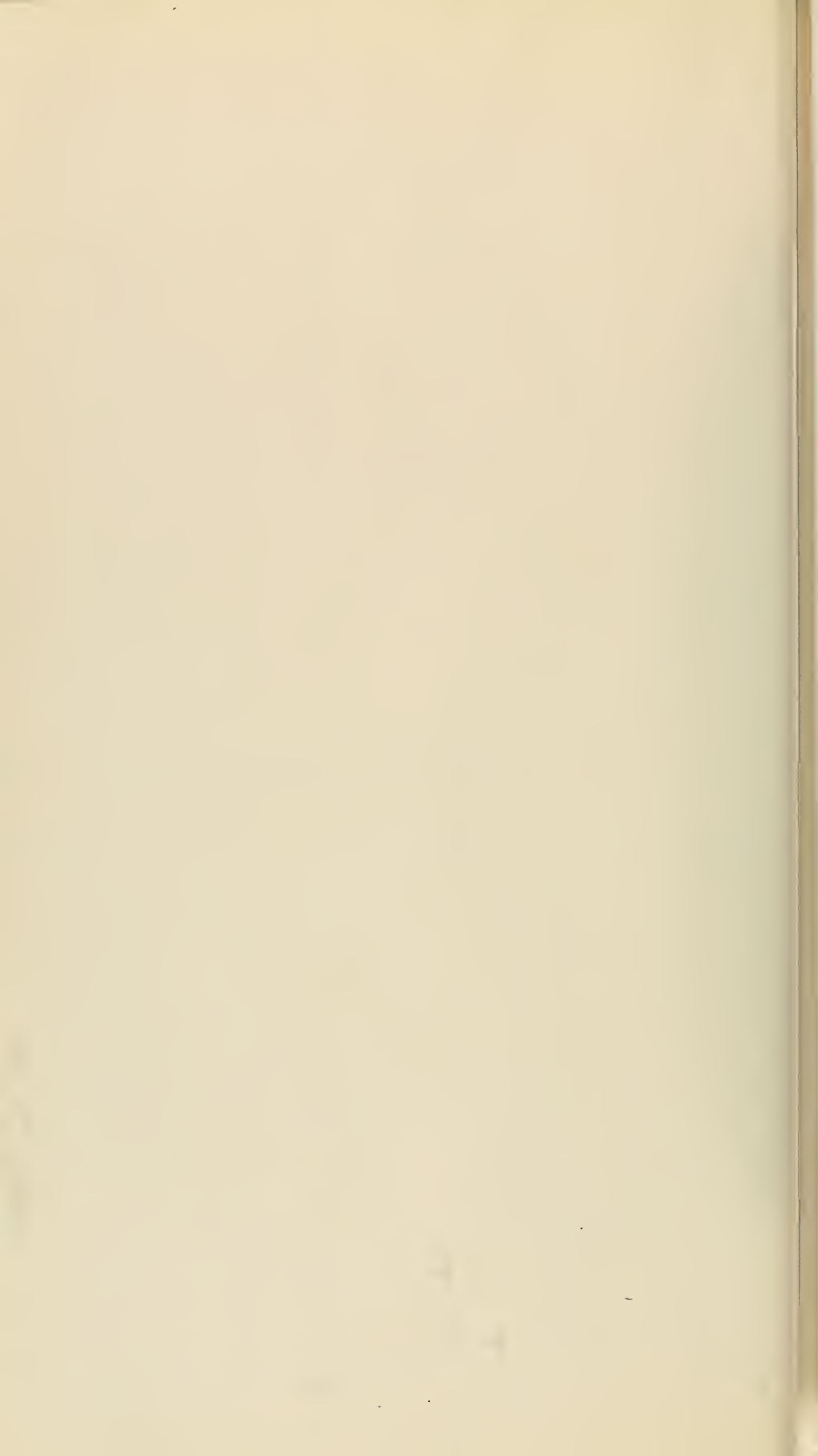
APPROVED AS TO FORM:

THOMAS M. O'CONNOR
City Attorney

By: _____
Deputy City Attorney

AYES: Commissioners Ciani, Gallegos, Murphy
Siggins

NOT VOTING: Commissioner Hall



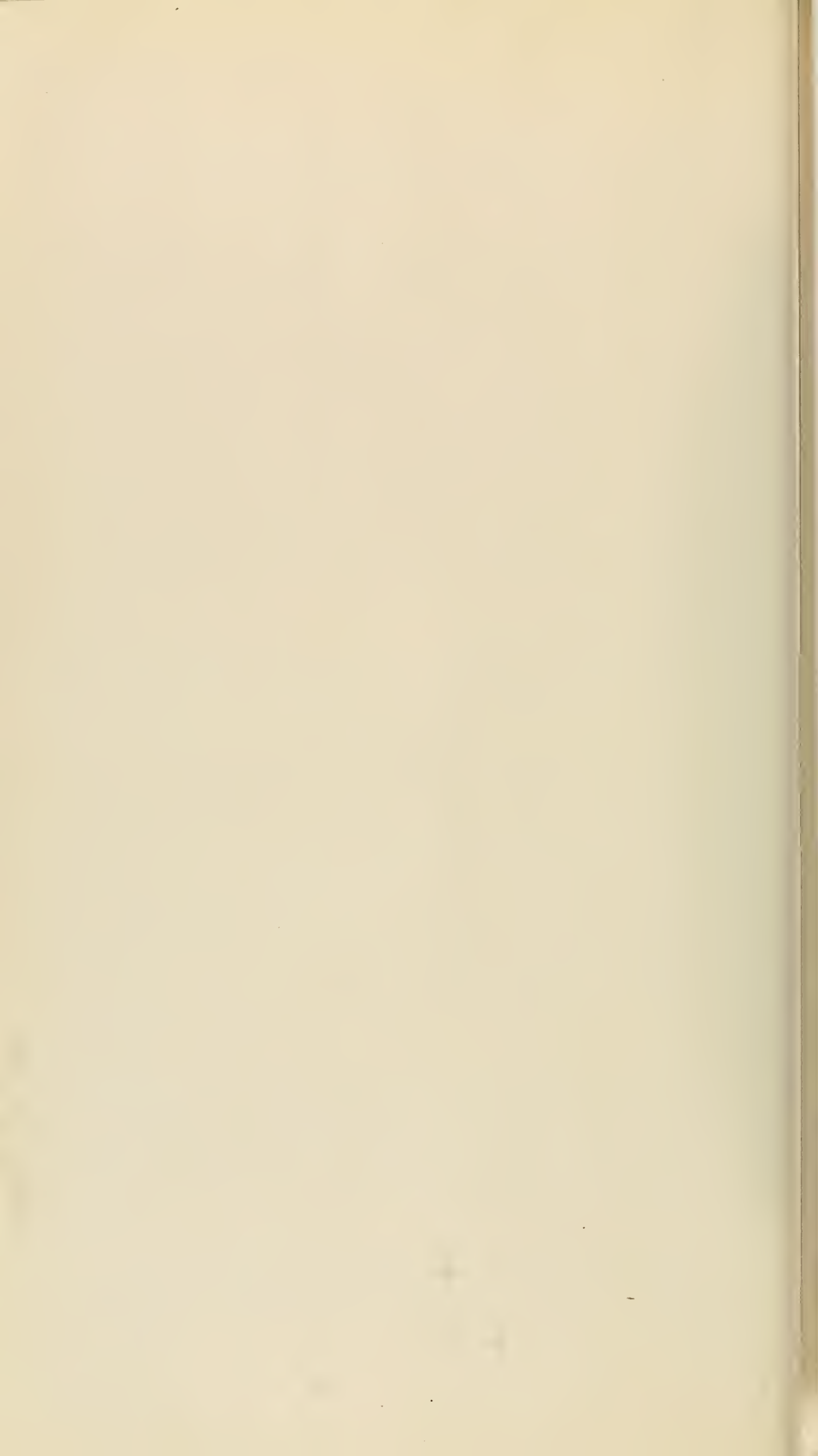
MR. J. WILLIAM ROBERTS RE DISCUSSION RELATIVE TO
PUBLIC CONVENIENCE AND NECESSITY.

Commissioner Siggins: "Mr. Roberts, as you recall last week we had the Department go back into the history of your application of 1968 and they have submitted a report on your application. In 1968 the Police Commission held public hearings on applications submitted by 312 persons including yourself for public convenience and necessity to operate taxicabs in San Francisco. Your application was for 24 permits. After those hearings were concluded the Commission granted a total of 109 permits and of those issued you were not one of the recipients. Therefore you were denied a permit at that time. The Commissioners did set up guidelines for those who were unsuccessful to appeal their decision. We have all of the copies of the Police Commission hearings that would have any purtenance to you. You did testify at these hearings at that time, under oath, but your application and numerous others were denied. The denial comes within the discretion of the Commission."

Mr. J. William Roberts: "Okay, I would like a copy of the material that you have, and as I understand that where it said that I was given the opportunity to give my convenience and necessity that was just in the minutes of the meeting in which they okayed the minutes. I contend that this is not true that I was not given the opportunity to give my public convenience and necessities, they denied it, they said they didn't have time and they said that before a full room this place was packed. I told them that when they had the time to notify me and I would appear and I was never notified. Now if you are going to go by the minutes of that meeting I was given that I was given this, I would like for you to have you send one of your officers to the former Police Commissioners and ask them to give a notarized affidavit stating that I was able to give my public convenience and necessity, and that they heard me. And when you get that notarized affidavit I will take it to the District Attorney and ask him what can be done about giving false testimony or making false records."

Commissioner Siggins then stated to Mr. Roberts that he didn't think anyone would be willing to give an affidavit on something that happened as far back as 1968. He further stated that the persons who were granted the 109 permits were notified when their names were printed in the newspaper and those were not successful were given the opportunity to appeal to the Board of Permit Appeals.

Commissioner Ciani stated that if the names of those who were successful is published in the paper that probably constituted constructive notice to both those who were successful and those who were not successful and to the rest of the public.



Mr. Roberts then stated that he had not read it in the papers but he had just recently been told it was in the papers and that he had been waiting all of these years to be notified by the Commission. He said the next step for him when he gets the letter stating that he had been denied his permits, then he would take that letter to the Board of Permit Appeals and fight it out there.

Commissioner Siggins stated that he would get him a letter but he stated that what he said previously is that the effect of the order of the Commission on December 16, 1966 was to deny Mr. Roberts application while granting permits to other applicants, but he said he would give him the letter and also the information that had been gathered by the Department and any type of material that he wanted to go to the Board of Permit Appeals. He stated that he thought this matter had been stretched out as far as it should go and he then advised Mr. Roberts that if he wanted to file a new application he could but he would suggest that he was untimely as far as appealing the old one with the Board of Permit Appeals. Mr. Roberts stated that he would read the materials presented to him tonight and then contact his attorney.

RESOLUTION NO. 118-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be and he is hereby requested to draw a Supplemental Appropriation in the amount of \$5,571.00 from the following appropriation numbers in the amounts shown:

Appropriation No. 6.161.110.000.000	
Permanent Salaries-Uniform Force	\$3,172
Appropriation No. 6.161.863.000.000	
Mandatory Fringe Benefits	
Transfer to 6.697.860.000	\$2,344
Transfer to 6.699.865.000	\$ 55
	<hr/>
	\$5,571

and credit it to the following appropriations in the amounts indicated:

Appropriation No. 6.161.110.001.000	
Permanent Salaries - Civilian	\$3,310
Appropriation No. 6.161.863.000.000	
Mandatory Fringe Benefits	
Transfer to 6.123.862.000	\$ 223
Transfer to 6.697.860.000	\$ 702
Transfer to 6.699.865.000	\$ 55
	<hr/>
Compensation Reserve (Surplus)	\$ 781
	\$5,571

to reclassify one (1) Q2 police officer to one (1) 8178 Senior Attorney.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall



RESOLUTION NO. 19-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$335,600 from the following appropriation numbers in the amounts shown:

Appropriation No. 6.161.110.000	
Permanent Salaries-Uniform Force	\$260,600
Appropriation No. 6.161.111.000	
Extra Duty-Uniform Force	\$ 75,000
	<hr/>
	\$335,600

and credit it to the following appropriation in the amount indicated:

Appropriation No. 6.161.990.980.000
Expansion of Street Patrol Activities \$335,600

to continue Street Crime Unit for remainder of fiscal year.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 111-77

SUPPLEMENTAL BUDGET FOR FISCAL YEAR 1977/78 - SAN FRANCISCO POLICE DEPARTMENT.

RESOLVED, that the Supplemental Budget of the San Francisco Police Department for the Fiscal Year 1977/78, as submitted by Chief of Police Charles R. Gain in the following amount, be, and the same is hereby approved.

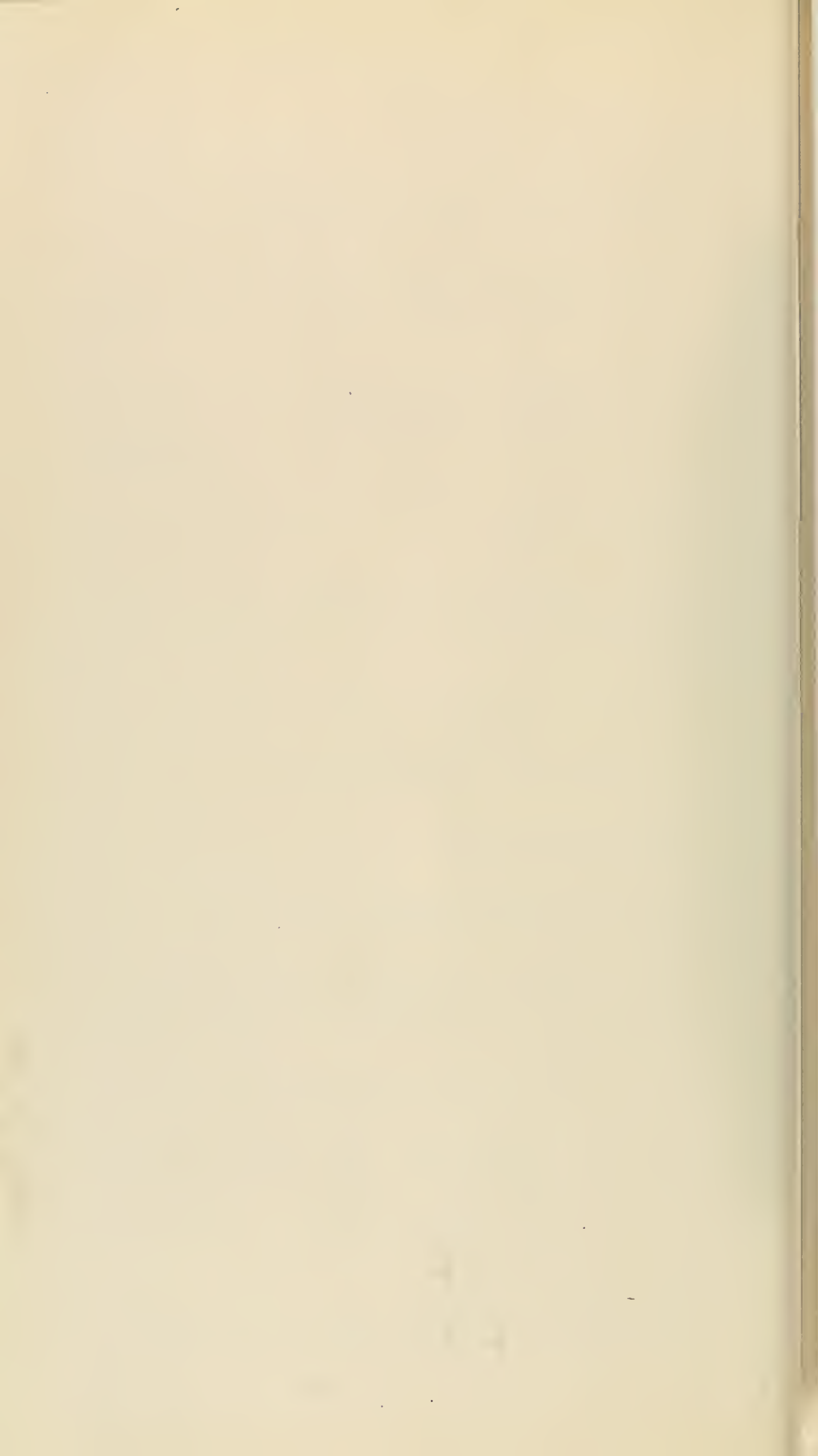
SUPPLEMENTAL BUDGET - \$227,668

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

SECONDARY EMPLOYMENT

ChiefGain: "Mr. President, under my reports I was going to have Chief Mullen give a status report on



Secondary Employment, there was some 500 persons listed and we found in a cursory examination of that some of them no longer worked. So a directive was put out for those members who are engaged in secondary employment to submit new applications, that the old ones were terminated and with your permission I will have Chief Mullen give you a status report of where we are with that project."

Deputy Chief Mullen: "The Chief just gave half of my report. There were 550 people listed as being engaged in Secondary Employment. We issued a General Order under the Chief's authority because of pervious Permanent Orders that we cancelled it out. We cancelled all previous request, approved request for Secondary Employment and required that everybody submit a new one on or about March 3rd. We have received 260 some odd applications. They are presently being assembled according to category of employment to present a report to the Commission on just what the picture is in regards to Secondary Employment. You have asked that it be delivered to you seven days before it is calendared for discussion and we will do that. Additionally, we are drafting and have drafted a staff recommended policy and procedure statement in regard to Secondary Employment, we need more work on it to see if we need any more elements to that and we will also present that to you for your consideration and discussion. Before that of course we will give you a profile on what types of employment these 260 persons are engaged in and who they are."

HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF
TRAFFIC CONTROLMAN BRUTES BRENT, TRAFFIC BUREAU

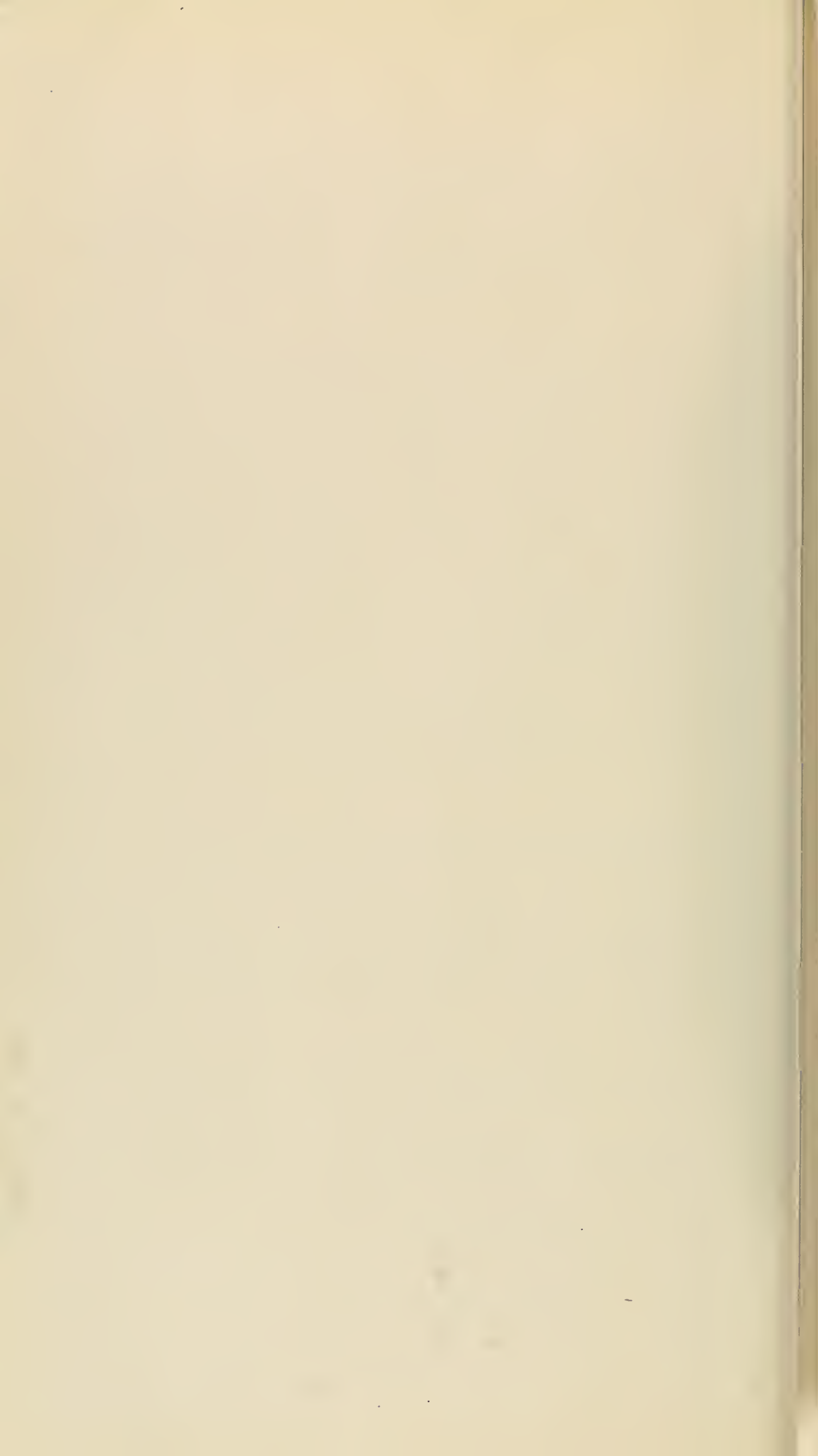
The hearing of the appeal of the suspension of Traffic Controlman Brutes Brent, was called, it having been set for this date. Traffic Controlman Brent appeared in person and was represented by Mr. James J. Diggins, Civil Service Association, Local 400.

Sergeant David P. Roche, Legal Office, appeared as Prosecutor for the Police Department.

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Lieutenant Vincent Senatore
Traffic Bureau

Sergeant Gale W. Wright
Traffic Bureau



Deputy Chief of Field Operations
Donald L. Taylor

The following-named witness appeared for the Defense, was sworn and testified:

Traffic Controlman Brutes Brent
Traffic Bureau

The following exhibit was entered into Evidence by the Prosecution:

Exhibit No. 1 - Intra-Departmental Memorandum from Lieutenant Vincent J. Senatore, Traffic Bureau, dated October 10, 1976, and acknowledged by Traffic Controlman Brutes Brent.

A closing argument was then presented by Mr. James J. Diggins.

The Commission took the matter under submission and then recessed from 2000 hours to 2008 hours after which the following resolution was adopted:

RESOLUTION NO. 121-77

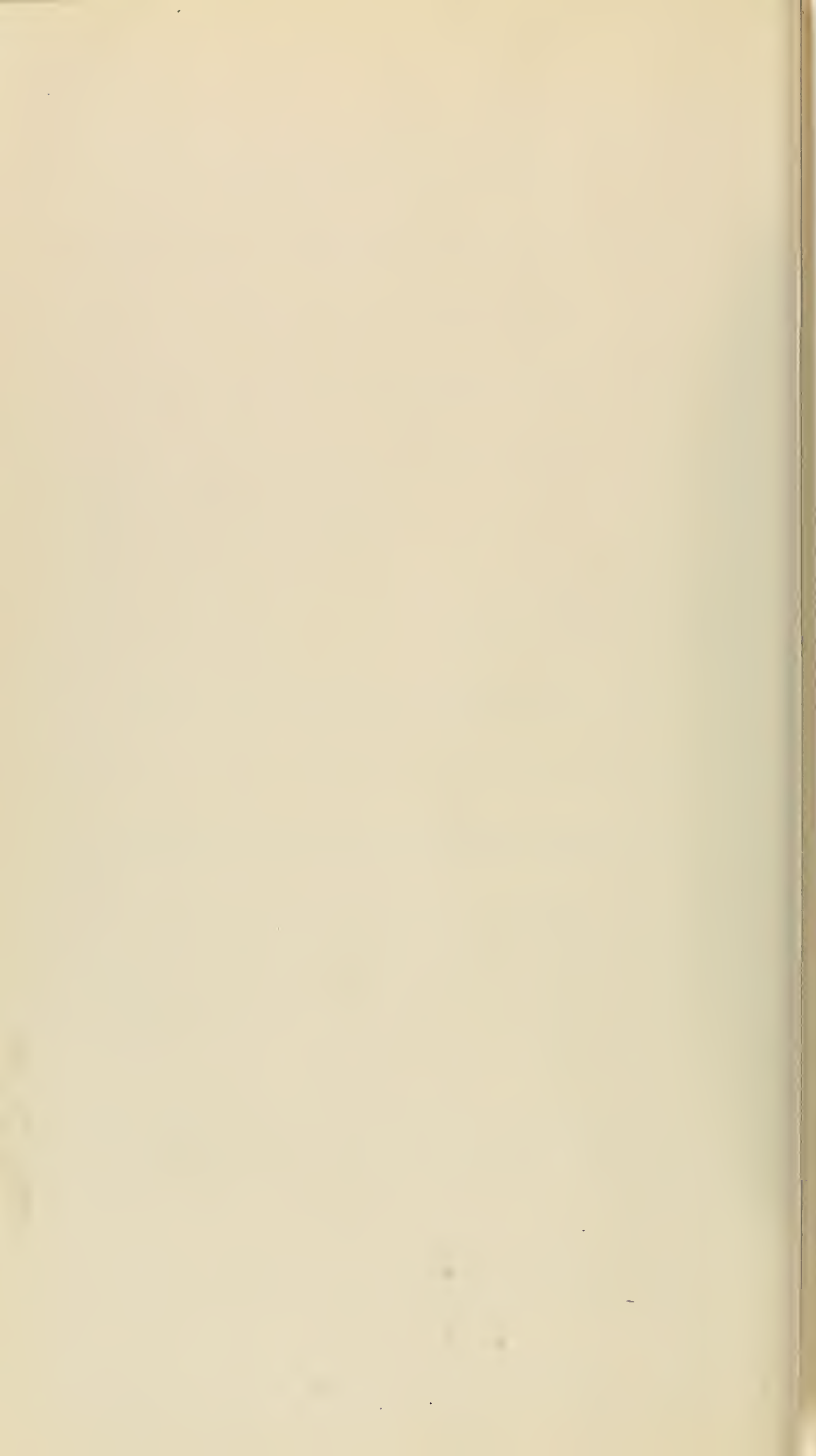
DECISION - HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF PARKING CONTROLMAN BRUTES BRENT, TRAFFIC BUREAU

WHEREAS, Parking Controlman Brutes Brent, Traffic Bureau, was suspended without pay by the Chief of Police pursuant to Section 8.343 of the Charter of the City and County of San Francisco, and Rule 3.06 of the Rules and Procedures of the San Francisco Police Department, for a period of five (5) working days commencing at 0001 hours on Wednesday, February 16, 1977, and terminating at 0001 hours, Wednesday, February 23, 1977; and

WHEREAS, pursuant to Rule 5.160 of the Rules and Procedures of the San Francisco Police Department, Traffic Controlman Brutes Brent, Traffic Bureau, did file with the Secretary of the Police Commission a written appeal of his suspension by the Chief of Police; and

WHEREAS, a hearing on said suspension was heard by the Police Commission on Wednesday, March 16, 1977, and on Wednesday, March 16, 1977, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charges made and filed against Parking Controlman Brutes Brent are sustained by the evidence presented at the said hearing held on March 16, 1977, and that Traffic Controlman Brutes Brent violated Section 2.45 of the Rules and Procedures of the San Francisco



Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that the Chief's suspension of Traffic Controlman Brutes Brent, Traffic Bureau, from duty without pay for five (5) working days commencing at 0001 hours on Wednesday, February 16, 1977, and terminating at 0001 hours, Wednesday, February 23, 1977, be, and the same is hereby affirmed and approved.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

Recess: 2000 hours to 2008 hours

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

2350 GREEN STREET - ST. VINCENT DE PAUL SCHOOL

- a) At 2350 Green Street, install a 317' white zone, from 73' - 390' west of Steiner Street.

746 BROADWAY STREET - AGADIR MOROCCAN RESTAURANT

- a) At 746 Broadway Street, install a 22' white zone, to extend from 8' - 30' west of east property line - (ALSO REMOVE PARKING METER UN-1938.)

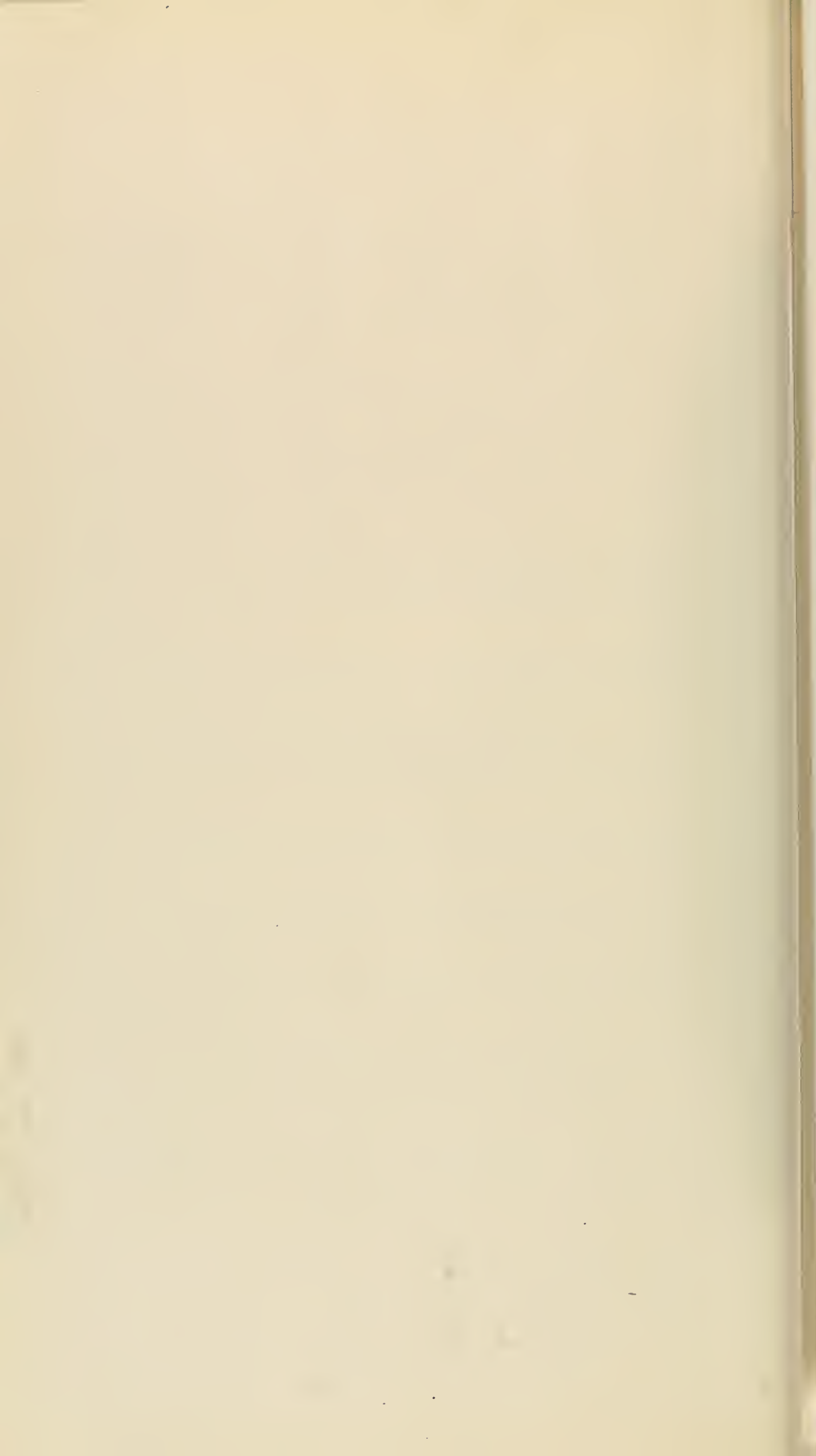
AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 112-77

ROBERT E. LEE AND HIS ATTORNEY
MICHAEL G. BLUM

RESOLVED, that the recommendation of the



City Attorney for settlement of litigation of Robert E. Lee in the sum of \$12,000 in Superior Court Action No. 675-557 entitled "Robert E. Lee vs City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Accident: February 5, 1974

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 113-77

DOOK G. WONG AND HER ATTORNEY
JOSEPH A. FILIPPELLI

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Dook G. Wong in the sum of \$500.00 in Superior Court Action No. 675-104 entitled "Dook G. Wong vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 18, 1973

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 114-77

AUTHORIZING ATTENDANCE OF CAPTAIN JAMES P. SHANNON AND INSPECTOR CECIL M. PHARRIS, PERSONNEL AND TRAINING, AT A CONFERENCE ON EQUAL EMPLOYMENT OPPORTUNITY AT THE JACK TAR HOTEL IN SAN FRANCISCO, CALIFORNIA, ON MARCH 24, 1977 AND MARCH 25, 1977.

RESOLVED, that the recommendation of the Chief of Police that Captain James P. Shannon and Inspector Cecil M. Pharris, be detailed to attend a conference on Equal Employment Opportunity at the Jack Tar Hotel in San Francisco, California, on March 24, 1977 and March 25, 1977, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Captain James P. Shannon and Inspector Cecil Pharris in a sum not to exceed \$202.00 each will be defrayed by the



Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 115-77

AUTHORIZING ATTENDANCE OF SERGEANT TIMOTHY J. THORSEN,
CRIME PREVENTION EDUCATION UNIT, AT THE CALIFORNIA
CRIME PREVENTION INSTITUTE AT POMONA, CALIFORNIA, FROM
APRIL 17, 1977 TO APRIL 29, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the
Chief of Police that Sergeant Timothy J. Thorsen,
Crime Prevention Education Unit, be detailed to attend
the California Crime Prevention Institute at Pomona,
California, from April 17, 1977 to April 29, 1977, be,
and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant
Timothy J. Thorsen in a sum not to exceed \$688.00 will
be defrayed by the Police Department's Police Officers'
Training Fund.

AYES: Commissioners Ciani, Gallegos, Murphy
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 116-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL
OF TRAVEL EXPENSES INCURRED BY POLICE OFFICER JOHN
F. DEVINE, SPECIAL ASSISTANT TO THE CHIEF OF POLICE,
AT A SEMINAR ON ALCOHOLISM AT THE UNIVERSITY OF CAL-
IFORNIA, SANTA CRUZ, CALIFORNIA, ON MARCH 5, 1977 AND
MARCH 6, 1977, INCLUSIVE

WHEREAS, on the recommendation of the Chief
of Police Police Officer John F. Devine, received per-
mission from the Police Commission to attend a Sem-
inar on Alcoholism at the University of California,
Santa Cruz, California; and

WHEREAS, Police Officer John F. Devine did
travel to Santa Cruz, California, from March 5, 1977
to March 6, 1977, inclusive; therefore be it

RESOLVED, that expenses in the amount of
\$105.00 incurred by Police Officer John F. Devine,



while attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, March 8, 1977, as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	72	88
Daily average for the week disabled	<u>79</u>	<u>76</u>
TOTALS	151	164

This is a decrease of thirteen (13) members off duty daily from the previous week.

Daily percentage for the week sick	3.53
Daily percentage for the week disabled	<u>4.85</u>
TOTAL	8.38

Disabled at start of week	77
Started during the week	15
Returned during the week	11
Disabled at end of week	81
Net Gain or Loss	+4

SICK AND DISABLED FOR THE WEEK ENDING SATURDAY, MARCH 6, 1976 AT 2400 HOURS.

Daily average for the week sick	63
Daily average for the week disabled	<u>102</u>
TOTAL	165
Daily percentage for the week sick	3.42
Daily percentage for the week disabled	<u>5.67</u>
TOTAL	9.09



SICK AND DISABLED FOR THE WEEK ENDING TUESDAY,
FEBRUARY 15, 1977 AT 2400 HOURS.

Daily average for the week sick	73
Daily average for the week disabled	<u>84</u>
TOTAL	157

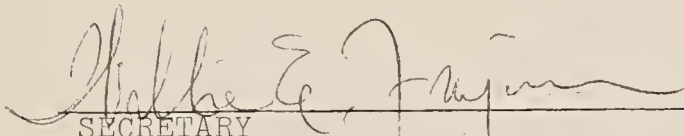
Daily percentage for the week sick	3.61
Daily percentage for the week disabled	<u>5.13</u>
TOTAL	8.74

The report was ordered filed.

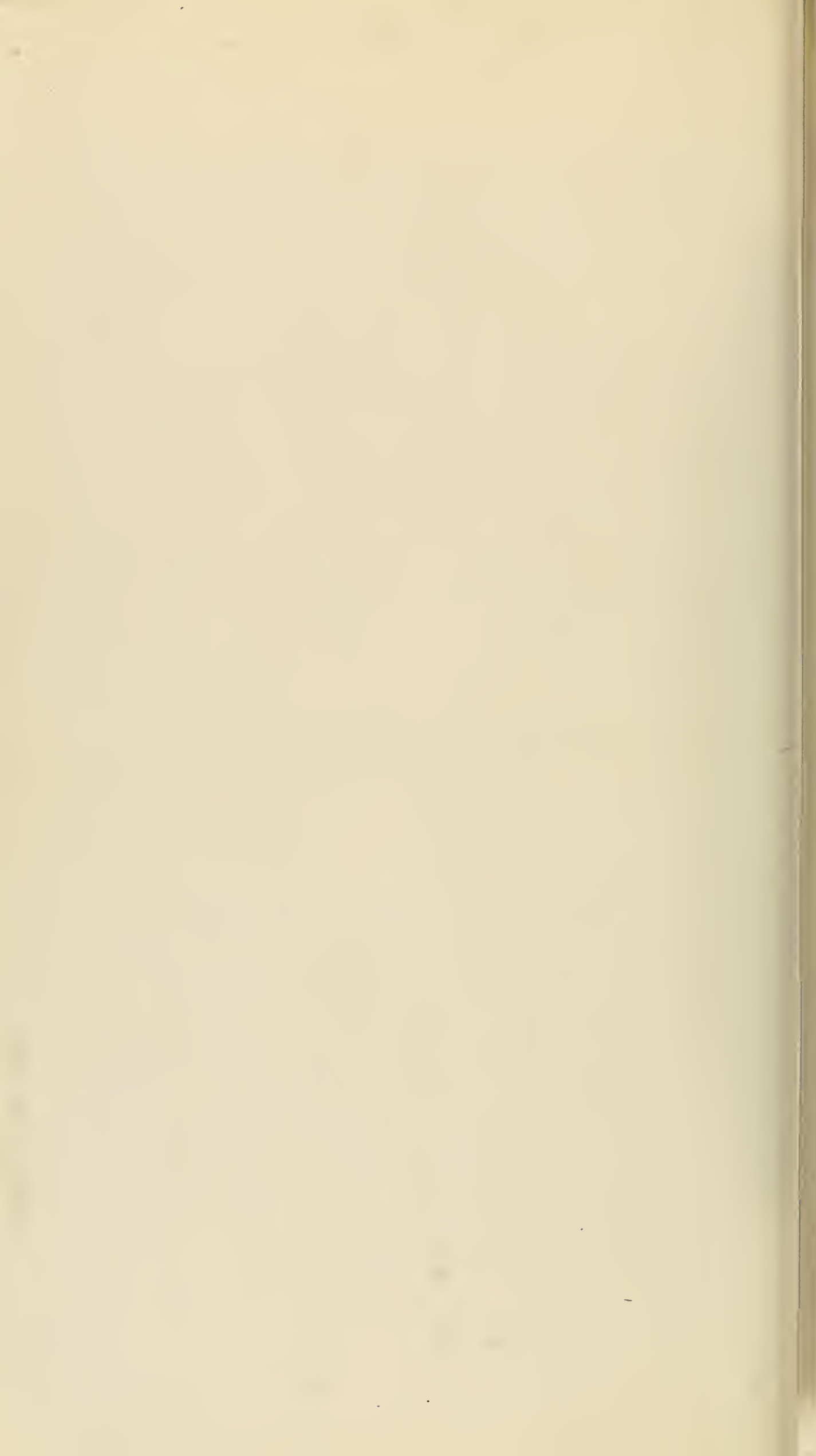
AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

The Commission then adjourned its meeting.



SECRETARY



23 MARCH 1977

REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 350 Bryant Street, on Wednesday, March 23, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of February 9, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

DOCUMENTS

MAY 6 1977

MR. LIONEL URIARTE OF LULAC

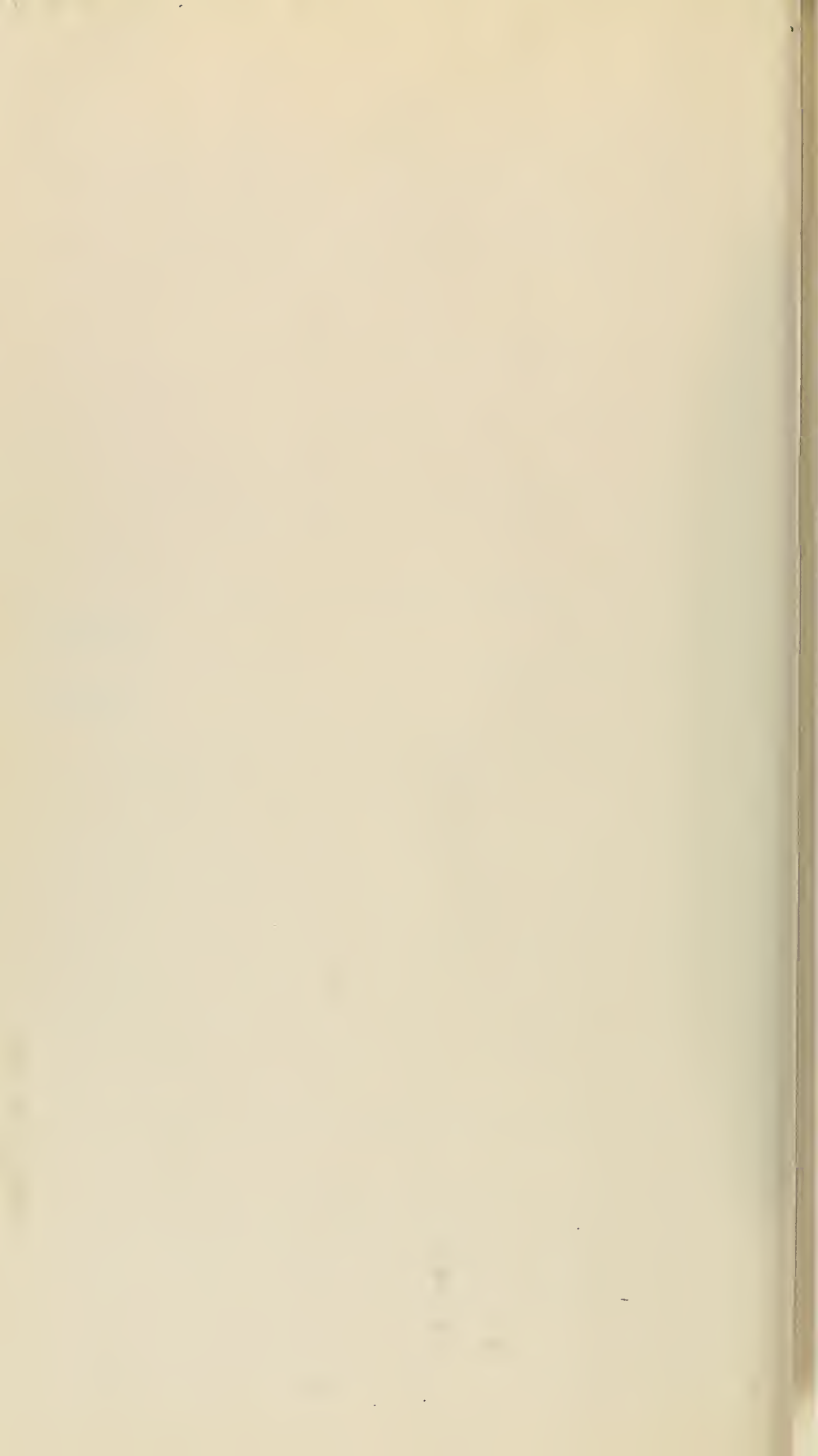
SAN FRANCISCO
PUBLIC LIBRARY

"May I address the Commissioners for a minute or less than a minute? I would like to see if I could get on the agenda for the next meeting of the Commission. Specifically, I would like to address the way that some of the Commissions and the Police Commission perse has operated in the past. We have made some presentations to this Commission and the Commission has taken the attitude of taking the information and making their own decisions in Executive Committee Meetings. We think this is a violation of the Sunshine Act, we would like to bring it to your attention. We also have a plan to take a look at the Police Department and various Departments and we would like to make a presentation to this Commission, but before we do that, we would like to make aware to the Commission that we are very concerned as to the goal of making decisions in Executive Committee. Because we lose the benefit of debate and also other comments."

Commissioner Ciani: "Can you cite one instance in which we have done this, because I don't believe we have done this."

Mr. Uriarte: "Yes, when we were here to make a presentation on the Rodney Williams case in Community Relations later on, the time when we moved upstairs in the auditorium, at that time it was expressed by Mr. Siggins that we could make our presentations and that the Commission, in Executive Committee, was going to be making a decision on it."

Commissioner Ciani: "Well, if you read the Sunshine Act



which you referred to that's the Brown Act, you will see that the major exception is for personnel matters. There is a good reason for that because we don't want to discuss publicly matters that would reflect on the individual character of any person and the Rodney Williams matter fell squarely within that exception and it was properly applied in that case."

Mr. Uriarte: "Well, I think my understanding was that the purpose of some of the participants was the Community Relations Unit per se, not just the personnel case of Rodney Williams, which you know, he was also, to some extent enter it sometime. But I think other occasions, and it isn't only this Commission, others have been doing the same thing, and we would like to bring it to your attention."

Commissioner Gallegos: "Mr. Uriarte, may I suggest this, why don't you see Sergeant Frazier, discuss your interest on Agenda Items with him or with Richard Siggins, who is the President of the Commission. Based on whether he feels we need some specific information in writing, first, he can arrange it as calendar item or perhaps discuss this with you without having to do it before the Commission."

Commissioner Murphy: "I would like to say something else here because I think we have been very sensitive to the fact that we must not discuss and make decisions on things other than personnel in Executive Sessions and I would be very surprised if we really had done what you think we've done."

Commissioner Ciani: "I note that members of the press are here. I don't think that you have established that we have ever acted improperly and I am very concerned that you not make an unsupported allegation like that when, as Commissioner Murphy says, we have tried so assiduously to honor both the spirit and the letter of the Brown Act."

Mr. Uriarte: "I am not going to challenge the Commission after that, I think you have taken notice of our concern and it is sufficient for the time being, we would later on like to make a presentation to this Commission on behalf of our Community."

Commissioner Gallegos: "Why don't you discuss it with Sergeant Frazier during the week and then with Commissioner Siggins if you feel that you must and I am sure some arrangement can be made for you."

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "We sent a letter to the Commission informing the Commission of legislation pending in

regards to binding arbitration. My report would consist of having Chief Mullen who has worked with this matter, review the letter with you for the purpose of our recommending to you that you calendar it for next week, so that the Commission can entertain whether they will take a position on that and to invite the representative of the Police Officers' Association to be here also for input. Chief Mullen."

Deputy Chief Mullen: "You have before you a letter which addresses itself to Senate Bill 164 and it concerns adding and amending Sections of the existing laws relating to local safety employees including police officers. The law is commonly referred to as the Meyers, Milias, Brown Act, particularly any legislative history that reflects on why it was originally passed in a form which does not provide for binding arbitration. That must have been considered at the time and there must be stated reasons in the legislative report for the Bill."

Deputy Chief Mullen: "Very well."

Chief Gain: "That concludes my report."

Commissioner Gallegos: "Alright then, we will calendar this for the 30th and invite the P.O.A., Officers for Justice and the Supervisory Officers Association."

Commissioner Ciani: "Is there any possibility that it would be necessary or advisable for us to have a position before next week? Are there other events coming up in the interim, so that it would be helpful for us to recommend a position?"

Deputy Chief Mullen: "Well, there is a committee meeting before next week but if anything is decided there it has to be submitted to the full Board a week later so there would be an opportunity to present the policy position to the full Board, that is assuming it was sent directly from the committee to the full Board and I don't know exactly how they are going to do that. So there will be an opportunity to address the Board of Supervisors on this issue with a uniform policy."

Commissioner Gallegos: "You are raising the question of whether there should be some preliminary statement of what our position would be?"

Commissioner Ciani: "I think it would be premature for us to vote on any position until we have had the open discussion next week, but I would observe that it affects this Commission only so far as working conditions are concerned because we don't get involved in negotiations or meet and confer sessions

for salaries or vacations, which I believe are also outside of our jurisdiction. But I think that from our experience, as a preliminary matter, we probably agree that binding arbitration would be very unwholesome as far as our jurisdiction over working conditions is concerned."

Commissioner Gallegos: "I like your idea of having legal council look at it and maybe send us some material ahead of time. That way we can get some view of the alternatives involved."

Commissioner Murphy: "Is it true we have no jurisdiction...oh I know we do over working conditions, but, no jurisdiction over vacation schedules and that sort of thing."

Chief Gain: "Not schedules, but the length of vacations. That is in the Charter."

Commissioner Murphy: "That is in the Charter as well as salaries. I see."

Chief Gain: "No, schedules would not be within our jurisdiction."

RESOLUTION NO. 125-77

PATROL SPECIAL OFFICER KENT BRANDT - REVOKED

RESOLVED, that the appointment of Kent Brandt for Beat No. 51, Central Police District, be, and the same is hereby revoked effective March 23, 1977, he having sold his beat to Assistant Patrol Special Officer Robert J. Hart.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 126-77

PATROL SPECIAL OFFICER ROBERT J. HART - APPROVED

RESOLVED, that Robert J. Hart, be, and he is hereby appointed a Patrol Special Officer for Beat No. 51, Central Police District; said appointment effective March 23, 1977, he having purchased Beat No. 51, Central Police District, from Kent Brandt.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 127-77

HEARING OF INSPECTOR RONALD LIMNEOS, JUVENILE
BUREAU

WHEREAS, the hearing of Inspector Ronald Limneos, Juvenile Bureau, was called, it having been set for this date; and

WHEREAS, Mr. George Walker, Attorney at Law, who is representing Inspector Ronald Limneos, has requested that a date for the hearing be set after the criminal proceedings have been disposed of in this matter; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Inspector Ronald Limneos, be, and the same is hereby continued off calendar.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 128-77

BUILDING AND GROUNDS; PATROLMAN VERNON EASTER, SOUTHERN
POLICE STATION.

WHEREAS, the hearing of Building and Grounds Patrolman Vernon Easter, Southern Police Station, was called, it having been set for this date; and

WHEREAS, Building and Grounds Patrolman Vernon Easter appeared in person with his representative, Louise Statzer, and requested a continuance of two weeks in this matter; therefore be it

RESOLVED, that the request of Building and Grounds Patrolman Vernon Easter, Southern Police Station, for a continuance in this matter, be, and the same is hereby approved and continued to Wednesday, April 6, 1977, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

AMENDING PART I, CHAPTER VIII, SAN FRANCISCO MUNICIPAL CODE BY ADDING THERETO SECTION 1165.1, DEFINING MOTORIZED RICKSHAWS: BY ADDING THERETO SECTION 1079.1, THEREOF EXEMPTING MOTORIZED RICKSHAWS FROM CONTINUOUS OPERATION; ADDING THERETO SECTION 1135.2, PROVIDING FOR RATES OF

MOTORIZED RICKSHAWS: BY ADDING THERETO SECTION 1182, PROVIDING FOR REGULATION OF MOTORIZED RICKSHAWS AND ADDING THERETO SECTION 1182.1, PROVIDING FOR A GRAND-FATHER CLAUSE - HELD OVER BY REQUEST OF MR. JUNG.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

PILOT PROGRAM OF THE OFFICE OF CITIZEN COMPLAINTS

Commissioner Ciani: "We put into the budget as you know, my pilot program or the Murphy, Ciani pilot program for the OCC."

Commissioner Gallegos: "Why don't you state what it is."

Commissioner Ciani: "Well, it consists of putting authorization in the budget for the hiring of eight civilian investigators, and one civilian supervising officer for the year, for the purpose of evaluating the effectiveness of using civilians to perform the fact gathering process in the processing of complaints against police officers. It also includes provision for establishing an officer for the filing of complaints by civilians in an office that is outside of police department premises or police stations. Also, it provides funds for the payment of Hearing Officers who would attempt to resolve some of the simpler matters at an early stage so they will not have to come before the Commission. This was discussed by us in terms of budgetary considerations without giving very much thought or flesh to the way it would be implemented by way of department procedures and rules and how this pilot program would fit into the present Internal Affairs Bureau. So I suggest that we ought to prepare to take some kind of a position and pass a resolution which would outline our intention as to how this would fit into the Police Department's operations. I think we ought to take that up next week, but I wanted to give some notice of it both to the public and to the others of the Commission so that we can be thinking about it. I will be circulating a memorandum that will contain my own thoughts about it. But before this comes up during the budget process, questions will be asked by the Mayor's Office and Supervisors about the details. I think we ought to be prepared by having discussed it and resolved some of the details."

Commissioner Gallegos: "In light of the fact that we have asked for additional comments from the POA, do you want to wait until that comes up on the 13th or do you want to do it before?"

Commissioner Ciani: "I think we need some basis for

discussing the procedures with the POA as well as discussing the matters that have already been included in our budget resolution."

Commissioner Murphy: "I think there could also be added to whatever has been proposed so far two or three other proposals which we may want to think about. For example, if we aren't allowed the money or can't find a place where we could have a complete separate office set up, we could have one or two staff stationed around in the community who would have office hours, regular office hours, in say a branch library, or a YMCA where people could go and make their complaints without coming to Bryant Street or City Hall or whatever, or to a regular police station. It is that kind of thing that might not cost as much as having a full office. I think some alternatives might be suggested for discussion with the POA as well as with the Board of Supervisors."

Commissioner Hall: "May I ask, Judy, are you suggesting that we have a public hearing before meeting with the POA on it?"

Commissioner Ciani: "No. But I think that any action that we take should be taken publicly and I think that it is incumbent on us having put into the budget the request for this pilot program, to now flesh it out with some of the details as to how we intend it to operate, were funds to be granted."

Commissioner Hall: "Well, the POA wants to meet on the 6th and the 13th."

Commissioner Ciani: "Right, but I think if we indicate our intention on this, then that too would form the basis for discussion with the POA. As it is they don't really know what we have in mind until we discuss it and express some preferences as to how it works. Then it would still of course, be open to discussion with them."

Commissioner Gallegos: "We also have in consideration Chief, the procedural matters that has yet to be developed."

Chief Gain: "That's in the process, well under way as I recall, the last thing out, at this time we are waiting for community members to do some work on it."

Commissioner Gallegos: "Well, when would you like to have this done?"

Commissioner Ciani: "I think it should go on next week even if we don't finish it. I think the time is getting short and the questions will start being asked and we ought to do it right away."

Commissioner Gallegos: "Fine, so let's put this on calendar for next week Sergeant."

Commissioner Murphy: "Do you think that you can have it ready, for us staff-wise?"

Chief Gain: "Well, as I understand it, Commissioner Ciani is going to circulate the document that will be the basis for discussion next week and there is no staff work to be done as I understand it."

Commissioner Ciani: "Well, I may have some questions for you in preparing that and I don't think it is a major piece of staff work."

Chief Gain: "We will distribute by Monday to all the Commissioners, a draft document for discussion next Wednesday. How is that?"

Commissioner Gallegos: "Well Chief, I think my concern is that there were some non-budget items in the OCC proposal that are very important, for example, the matter of bi-lingual complaint forms and the numbering of forms. Those are non-budgetary items and they may have some bearing on improving the quality of the Internal Affairs Bureau regardless of how we go on this."

Chief Gain: "Amitai Schwartz will be meeting with Captain McSweeney and they have developed all of the procedural matters that you refer to and I anticipate by next week we will have a draft of that."

Commissioner Murphy: "Well, that is the kind of thing that I would like to see as well as whatever Commissioner Ciani develops."

Chief Gain: "Of course I think those are two separate issues."

Commissioner Ciani: "They are two separate things but I....."

Commissioner Murphy: "I think they have bearing on each other in a sense because you don't want to absolutely denude the Internal Affairs Bureau, for example, without some assurance we will get a civilian unit."

Commissioner Ciani: "But now you are taking about the subject I was addressing as opposed to the procedural matters which the Chief is working on."

Commissioner Gallegos: "Well, I would like to begin to see some of those things."

Commissioner Ciani: "Yes, the procedural thing, right. We were led to believe that that would be ready by now. It was supposed to be ready months ago."

Chief Gain: "Months ago, three weeks as I recall, the first time that I stated that. Somehow that has been expanded."

Commissioner Gallegos: "Okay."

HEARING OF POLICE OFFICER DONALD W. BREWER, TARAVAL
POLICE STATION

The hearing of Police Officer Donald W. Brewer, Taraval Police Station, was called, it having been set for this date. Police Officer Donald W. Brewer was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Failure to enforce the Rules and
Procedures of the San Francisco
Police Department.)

in a properly verified complaint by Cornelius P. Murphy, Captain of Police, Commanding Officer of the Taraval Police Station:

Police Officer Donald W. Brewer appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Sergeant David P. Roche, Legal Office, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Police Officer Donald W. Brewer entered a plea of "not guilty" to Specification No. 1.

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Mr. Robert J. Manley
240 San Manito
San Bruno, California

Mr. David Dudley
2006 - 46th Avenue
San Francisco, California

Mr. Robert Quinn
297A Joost Avenue
San Francisco, California

The following exhibit was entered into
Evidence by the Prosecution:

Exhibit No. 1 - One 3'x2' scale drawing
of Taraval Police Station,
business and jail sections.
Sides A & B. "A" primarily,
business. "B" jail area.

Sergeant David P. Roche, Legal Office,
waived closing statement.

The Commission then called both attorneys
to the Bench and whereafter the following resolution
was adopted dismissing the charges.

A closing statement was then presented by
Mr. Stephen Bruce Bley, Defense Attorney.

RESOLUTION NO. 129-77

DECISION - HEARING OF POLICE OFFICER DONALD W. BREWER,
TARAVAL POLICE STATION.

WHEREAS, on January 14, 1977, Cornelius P.
Murphy, Captain of Police, Commanding Officer of
Taraval Police Station, made and served charges
against Police Officer Donald W. Brewer, as follows:

SPECIFICATION NO. 1

- a) On Wednesday, February 4, 1976,
at or about 0300 hours, the accused
was assigned by his superior officer
as Station Keeper at the Taraval
Police Station;
- b) At or about 0220 hours on Wednesday,
February 4, 1976, two suspects were
brought into the Taraval Police Station
for investigation relating to a dis-
turbance on a Municipal Railway bus;
- c) The accused, in the absence of the
Platoon Commander, was the ranking
officer on duty at this time;
- d) The above-stated suspects were unlaw-
fully struck by members of the San
Francisco Police Department at the
above-stated time and in the presence
of the accused,

- e) The accused failed to exercise his authority in preventing the unlawful striking.
- f) Because of the above-stated conduct, the accused did violate Section 8.145 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"8.145. Shall, during the absence of the platoon commander from the station, be the ranking officer on duty and shall be obeyed and respected accordingly."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, March 23, 1977, and that on Wednesday, March 23, 1977, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Donald W. Brewer, Taraval Police Station, as contained in Specification No. 1, are not sustained by the evidence presented at the hearing and that Police Officer Donald W. Brewer has not violated Section 8.145 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Donald W. Brewer has not violated Specification No. 1, Section 8.145 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that said charges contained in Specification No. 1, Section 8.145, be dismissed.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

HEARING OF POLICE OFFICER DONALD FORTE, TARAVAL POLICE
STATION

The hearing of Police Officer Donald Forte, Taraval Police Station, was called, it having been set for this date. Police Officer Donald Forte was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Using unnecessary force on a prisoner.
(Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Cornelius P. Murphy, Captain of Police, Commanding Officer of the Taraval Police Station.

Police Officer Donald Forte appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Sergeant David P. Roche, Legal Office, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Police Officer Donald Forte entered a plea of "not guilty" to Specification No. 1.

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Mr. Robert J. Manley
240 San Manito
San Bruno, California

Mr. David Dudley
2006 - 46th Avenue
San Francisco, California

Mr. Robert Quinn
297A Joost Avenue
San Francisco, California

The following exhibit was entered into Evidence by the Prosecution:

Exhibit No. 1 - One 3'x2' scale drawing ,
of Taraval Police Station,

business and jail sections.
Sides A & B. "A" primarily,
business. "B" jail area.

Sergeant David P. Roche, Legal Office,
waived closing statement.

The Commission then called both attorneys
to the Bench and whereafter the following resolution was
adopted dismissing the charges.

A closing statement was then presented by
Mr. Stephen Bruce Bley, Defense Attorney.

RESOLUTION NO. 130-77

DECISION - HEARING OF POLICE OFFICER DONALD FORTE,
TARAVAL POLICE STATION.

WHEREAS, on June 25, 1976, Cornelius P. Murphy,
Captain of Police, Commanding Officer of Taraval Police
Station, made and served charges against Police Officer
Donald Forte, as follows:

SPECIFICATION NO. 1

- a) At or about 0245 hours, Wednesday,
February 4, 1976, the accused, as-
signed to a radio car in the Taraval
Police District, had occasion to
investigate a disturbance on a Muni-
cipal Railway bus at or near the in-
tersection of 45th Avenue and Taraval
Street;
- b) During the course of the investigation,
an open container of alcoholic beverage
was found within the automobile of the
persons suspected of causing the dis-
turbance;
- c) Two suspects were transported to the
Taraval Police Station by the accused
and a fellow officer;
- d) At the Taraval Police Station, the
accused did, without lawful authority,
strike a suspect in the above-stated
incident.
- e) Because of the above-stated conduct,
the accused did violate Section 2.13
of the Rules and Procedures of the
San Francisco Police Department, which
reads as follows:



"2.13 Any breach of the peace, neglect of Duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, March 23, 1977, and that on Wednesday, March 23, 1977, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Donald Forte, Taraval Police Station, as contained in Specification No. 1, are not sustained by the evidence presented at the hearing and that Police Officer Donald Forte has not violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Donald Forte has not violated Specification No. 1, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that said charges contained in Specification No. 1, Section 2.13, be dismissed.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

HEARING OF POLICE OFFICER BLADIMIR SHEGOLEFF, TARAVAL
POLICE STATION

The hearing of Police Officer Vladimir Shegoleff,



Taraval Police Station, was called it having been set for this date. Police Officer Vladimir Shegoleff was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Using unnecessary force on a prisoner. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Cornelius P. Murphy, Captain of Police, Commanding Officer of the Taraval Police Station.

Police Officer Vladimir Shegoleff appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Sergeant David P. Roche, Legal Office, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Police Officer Vladimir Shegoleff entered a plea of "not guilty" to Specification No. 1.

The following witnesses appeared for the Prosecution, were sworn and testified:

Mr. Robert J. Manley
240 San Manito
San Bruno, California

Mr. David Dudley
2006 - 46th Avenue
San Francisco, California

Mr. Robert Quinn
297A Joost Avenue
San Francisco, California

The following exhibit was entered into Evidence by the Prosecution:

Exhibit No. 1 - One 3'x2' scale drawing of Taraval Police Station, business and Jail sections. Sides A & B. "A" primarily, business. "B" Jail area.

Sergeant David P. Roche, Legal Office,
waived closing statement.

The Commission then called both attorneys
to the Bench and whereafter the following resolution
was adopted dismissing the charges.

A closing statement was then presented by
Mr. Stephen Bruce Bley, Defense Attorney.

RESOLUTION NO. 131-77

DECISION - HEARING OF POLICE OFFICER VLADIMIR SHEGOLEFF,
TARAVAL POLICE STATION

WHEREAS, on June 22, 1976, Captain Cornelius
P. Murphy, Captain of Police, Commanding Officer of
Taraval Police Station, made and served charges against
Police Officer Vladimir Shegoleff, as follows:

SPECIFICATION NO. 1

- a) That at or about 0245 hours, Wednesday,
February 4, 1976, at or near the inter-
section of 45th Avenue and Taraval Street
the accused had occasion to investigate
a disturbance on a Municipal Bus.
- b) That in the course of the investigation
an open container of alcoholic beverage
was discovered in the automobile of the
person suspected of being involved in
the above-stated disturbance.
- c) The suspects involved in the above-
stated disturbance were transported
to the Taraval Police Station.
- d) Without lawful authority the accused
did strike with his fists one of the
suspects hereinbefore described.
- e) Because of the above-stated conduct the
accused did violate Section 2.13 of
the Rules and Procedures of the San
Francisco Police Department, which
reads as follows:

"2.13 Any breach of the peace, neglect
of duty, misconduct or any conduct on
the part of any member either within
or without the state which tends to
subvert the good order, efficiency or
discipline of the department or which

reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, March 23, 1977, and that on Wednesday, March 23, 1977, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Vladimir Shegoleff, Taraval Police Station, as contained in Specification No. 1, are not sustained by the evidence presented at the hearing, and that Police Officer Vladimir Shegoleff has not violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Vladimir Shegoleff has not violated Specification No. 1, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that said charges contained in Specification No. 1, Section 2.13, be dismissed.

AYES: Commissioners Ciani, Gallegos, Hall, Siggins

NOT VOTING: Commissioner Murphy

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

735 HAIGHT STREET - HAIGHT HARDWARE

- a) At 735 Haight Street, install an 18' yellow zone, to extend from 4' - 22' east of west property line.

2241 - 45 JUDAH -BLUE SKY RESTAURANT

- a) At 2241-45 Judah Street, install a 22' white zone, east from west property line.

5767 MISSION STREET - CONVALESCENT CENTER-MISSION STREET, INC.

- a) At 5767 Mission Street, install a 39' green zone, to extend south from north property line.

2620 JUDAH STREET - G. ANTHONY LYNCH INSURANCE AGENCY

- a) At 2620 Judah Street, install a 22' green zone, to extend east of west end of building.

1837 POLK STREET - INTERIOR SYSTEMS

- a) At 1837 Polk Street, install a 22' yellow zone, to extend from 10' - 32' east of west property line.

1581 CHURCH STREET - LEHR'S GERMAN SPECIALTIES

- a) At 1581 Church Street, install a 22' green zone, to extend south from north property line.

3055 OCTAVIA STREET - LOMBARD STREET CLEANERS

- a) At 3055 Octavia Street, install a 22' green zone, to extend from 6' - 28' south of north property line.

950 VAN NESS AVENUE - EUROPEAN MOTORS

- a) At 950 Van Ness Avenue, install a 39' white zone, to extend from 37' - 76' south of north property line.

AYES: Commissioners Ciani, Gallegos, Hall,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 123-77

LAW ENFORCEMENT TRAINING ASSOCIATES

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of the Law Enforcement Training Associates in the sum of \$5,567.32 in United States District Court Action No. C-74 2521 RHS, entitled "Law Enforcement training Associates v. City and County of Hayward, etc., et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February, 1974

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 122-77

AUTHORIZING ATTENDANCE OF POLICE OFFICERS MICHAEL CONWAY, CRIME SPECIFIC TASK FORCE, AND JEREMIAH MORGAN, MISSION POLICE STATION, AT AN EXPLOSIVE ORDNANCE DISPOSAL TRAINING SCHOOL AT THE REDSTONE ARSENAL, HUNTSVILLE, ALABAMA, FROM APRIL 3, 1977 TO APRIL 22, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officers Michael Conway, Crime Specific Task Froce, and Jeremiah Morgan, Mission Police Station, be detailed to attend an Explosive Ordnance Disposal Training School at the Redstone Arsenal, Huntsville, Alabama, from April 3, 1977 to April 22, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officers Michael Conway and Jeremiah Morgan in a sum not to exceed \$782.00 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 124-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$613.00 from the following appro-

priation number in the amount shown:

Appropriation No. 6.161.199.000.000
Police Department-Salary Savings \$613.00

and credit it to the following appropriations in the amounts indicated:

Appropriation No. 6.161.110.001.000
Permanent Salaries-Cvilian \$494.00

Appropriation No. 6.161.863.000.000
Mandatory Fringe Benefits
Transfer to 6.123.862.000 \$ 29.00
Transfer to 6.697.860.000 \$ 90.00
\$613.00

to reclassify three (3) positions of 8350 Finger-print Classifier and Clerk as three (3) positions of 8251 Fingerprint Technician III effective April 27, 1977.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

WEEKLY SICK REPORT.

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, March 15, 1977 as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	80	72
Daily average for the week disabled	<u>82</u>	<u>79</u>
TOTALS	162	151

This is an increase of eleven (11) members off duty daily from the previous week.

Daily percentage for the week sick	3.89
Daily percentage for the week disabled	<u>4.89</u>
TOTAL	8.77

Disabled at start of week	78
Started during the week	13
Returned during the week	10
Disabled at end of week	81
Net Gain or Loss	-3

SICK AND DISABLED FOR THE WEEK ENDING SATURDAY,
MARCH 13, 1976 AT 2400 HOURS

Daily average for the week sick	70
Daily average for the week disabled	<u>99</u>
TOTAL	169

Daily percentage for the week sick	3.74
Daily percentage for the week disabled	<u>5.49</u>
TOTAL	9.23

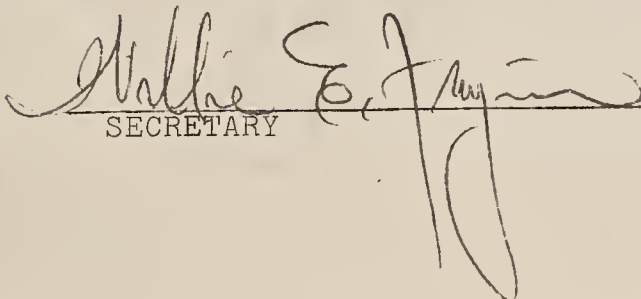
SICK AND DISABLED FOR THE WEEK ENDING TUESDAY,
FEBRUARY 22, 1977 AT 2400 HOURS

Daily average for the week sick	79
Daily average for the week disabled	<u>80</u>
TOTAL	159
Daily percentage for the week sick	3.84
Daily percentage for the week disabled	<u>4.91</u>
TOTAL	8.75

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

The Commission then adjourned its meeting.



SECRETARY

MAY 24 1977

SAN FRANCISCO
PUBLIC LIBRARY30 MARCH 1977REGULAR MEETING

Minutes

The ~~Police~~ Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 30, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins presiding.

The members of the Commission having been furnished copies of the minutes of the meeting of February 16, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION :

Chief Gain: "Mr. President, members of the Commission, I have no report tonight. There are matters on the agenda that I will be speaking to. The only thing I would comment on is tomorrow afternoon I will be going to Watsonville in connection with our Field Training Officer Program and I will be there tomorrow night and Friday and I will be available by telephone and all of the staff will be here."

AFFIRMATIVE ACTION PLAN- STATUS REPORT

Chief Gain: "Mr. President, members of the Commission, we submitted a brief letter to you and status report in regards to our Affirmative Action Plan. We related in that we have individuals who are experts in regards to formulation of a plan required by LEAA rules and regulations. As we stated in the letter, those experts are here now, and they will be for the next several days, fact finding and gathering information. After that information is gathered, a report will be submitted to us and then we will thereafter promulgate an Affirmative Action Plan which we hope to submit to the Commission in the latter part of April. Tonight we have here a Mr. Mentoski and others. Mr. Mentoski, at your pleasure, will explain to you what they will be doing specifically in regard to getting a collection and how it relates to sub part E of the Equal Employment Opportunity Plan. Mr. Mentoski."

Commissioner Gallegos: "Mr. Mentoski, how long are you going to be here with us? Are you staying until April 1?"

Mr. Mentoski: "We will be here to and perhaps including Saturday."

Commissioner Gallegos: "Do you have any plans worked out or specific things you are looking at?"

Mr. Mentoski: "Oh yes. This is about the 200th Law Enforcement Agency that we have given this assistance to. It has been in existence since 1970."

Commissioner Gallegos: "Can you kind of give a view of how you plan to proceed and what you are looking for?"

Mr. Mentoski: "We try to look at the entire selecting process and entire operation of the Department. All aspects starting with recruitment selection. We look to see what the Department has done in the past and what it is doing now. We will cover the areas of promotions, grievances of this department if there are any among the individuals and then present a written report to the Chief with recommendations, conclusions and recommendations. Our recommendations would be based in the hope that they could improve minority members of this Department. That includes minorities and women. We will cover the entire operations of the Department policies and then proceed."

Commissioner Gallegos: "You will be taking into account the present situation of course, the various administrative complaints against the city?"

Mr. Mentoski: "Well, we are certainly cognizant of them but I don't think that would play any role in our recommendations or suggestions."

Commissioner Gallegos: "Why not?"

Mr. Mentoski: "Well, we can not recommend and suggest things that are perhaps just peculiar to that particular law suit. I am very familiar Commissioners with the Law Suit. I am very familiar with the last order that has been received in the Circuit Court of Appeals. I certainly would answer anything specific and that is in a court situation, I don't think there is much we can do as in technical assistance, but we would hope that the technical assistance we could give you would perhaps prevent the police department from getting into that type of situation where the (inaudible) can be used."

Commissioner Gallegos: "Well are you familiar with the P.O.A., and Officers for Justice?"

Mr. Mentoski: "Yes, we have commenced, we met with

Officers for Justice last evening. Mr. Robinson, who is our Community Relations Specialist, met with them. He met with Inspector Pharris last night and David Smith this morning, met with the Chief and the Assistant Chief and we have been at the Department all day with the training of-ficers and the recruitment and background officers.

Commissioner Murphy: "And the POA men?"

Mr. Mentoski: "We have met with a gentleman who is an attorney and very active in the P.O.A., Michael Hebel."

Commissioner Hall: "Are you utilizing the help of the Community Relations Department?"

Mr. Mentoski: "Yes, we are."

Commissioner Hall: "Are you contacting local minority groups in the City?"

Mr. Mentoski: "Yes, we certainly...Yes, we start with the minority officers on the Department and we will contact people in the Community."

Commissioner Hall: "The NAACP?"

Mr. Mentoski: "Well, we like to select the people we want to talk to, particularly, other than, not talk to the people that are pointed out to us to talk to. I think we have a great deal of experience working in the minority communities, at least Mr. Robinson has. He has his ways and means that he likes to gather his facts with, Commissioner."

Commissioner Gallegos: "What about the present overview of the city in terms of the population, the fact that we have a number of people heretofore concerned about the impact of Affirmative Action, not only in terms of myths but as it might reflect in the characteristics of the City. We are dealing with various situations. Language problems and....."

Mr. Mentoski: "We have been made aware of some of those problems and we hope to be able to talk to the people that are concerned with those problems and make some suggestions. Now we are a volunteer group. Chief Gain asked us to come here. We have no power or authority to order or direct, this is purely a voluntary situation. We will offer suggestions as best we can, hoping that we will help you recruit minorities and women."

Commissioner Siggins: "Mr. Mentoski, as a professor in connection with your experience over the years of

doing this type of work, do you have experience also relating to Charter problems in a community?"

Mr. Mentoski: "Yes, sure, I think I ought to tell you I am a Police Commissioner like you are in the City of Milwaukee, and so I have been working on your end of Affirmative Action since 1969. We have been involved in law suits and Federal Courts. I think I have a pretty good understanding of it. Now we are unique in our Fire and Police Commission. We are also our whole Personnel Board in Milwaukee. We are part time, as you are, appointees of the Mayor. I think our salary range is identical to yours, about 17 cents an hour, right? So we are in a little more favorable position. We do the recruitment, the selection, the testing, at the entry level, all the promotional things and have suffered growing pains, so we can change our rules and regulations, the fact this may not be a popular thing to say, but we have three eligible lists in Milwaukee. We have a white list, white male list, we have a minority list and we have a female list. I am not advocating this for anybody, I am just telling you our situation, both on Fire and Police."

Commissioner Murphy: "Do you also have a Civil Service System other than for the Fire and Police Departments."

Mr. Mentoski: "Other than for the Fire and Police Departments? Yes. I don't know of another Police Commission in the Country that has that makeup."

Commissioner Ciani: "How do you hire off those lists, do you have quotas?"

Mr. Mentoski: "Yes, by the District Federal Court. Our Judge who has this matter, allocated to us that we hire on a racial basis, 40% white males, 30% minorities, 30% women."

Commissioner Ciani: "Does it reflect the composition of the work force?"

Mr. Mentoski: "It reflects the composition of the work force, yes. Our minority population statistics are somewhat around 17% was 47% or 48% something like that."

Commissioner Murphy: "How many people are minorities, is it largely black minority or do you have others?"

Mr. Mentoski: "We have a large black minority. Of that 17% perhaps 14% would be black, 3 to 4% Spanish, we don't have any oriental population around there."

Chief Gain: "Mr. President, I should of mentioned

also, I apologize Dean, Mr. Mentoski is the Associate Dean of the Marquette Law School."

Commissioner Siggins: "Yes, well I was going to compliment him on the basketball team....."

Mr. Mentoski: "Yes, I realize that we were coming into bad territory because of USF but I know they are a great team. Now we have our Executive Director here in Dr. Whip and Mr. Robinson and certainly they would answer any questions you like. Mr. Krigger is our Executive Director and he is really the lawyer in the group. Dr. Whip is our past Executive Director and is now at International University in Miami and he is acting as a consultant here. Mr. Robinson is our Community Relations Recruitment person so they can answer anything you like."

Chief Gain: "We are very appreciative Dean and gentlemen for your being here. After they get this information they will be developing an EEO Plan, then of course, our overall Affirmative Action Plan we have to develop. Now the City is also, of course, they are the ones who have responsibility for the City Affirmative Action Plan. Inspector Cecil Pharris is the one who is heading that up. So maybe you can discuss that Inspector."

Inspector Cecil Pharris: "As the honorable Commission knows, Rule 1.03 of the Rules and Procedures of the Civil Service Commission was adopted a week ago Monday, which establishes parameters for a true Affirmative Action Policy and it is very specific and within the guidelines of Federal, State and Local statutes. They seem to fit right in with what Professor Mentoski and the gentlemen discussed today. Captain Shannon, the Captain of Personnel, and myself, recently completed the National Civil Service League Affirmative Action Course and I think we have a better feeling for what is needed now in the Affirmative Action Program. Particularly to meet with the new regulations that were promulgated in February of this year by the Federal Government. Specifically dealing with cutting off of funds, Revenue Sharing Funds as well as LEAA Funds. Tomorrow morning at 9:30 a.m., we are meeting with Mr. Walsh, the new manager of the Civil Service Commission. His two Affirmative Action people, Mr. Rothman and Ms. Jacobsen, Mr. DeSoto, Captain Shannon, Chief Mullen and myself, and as soon as they tell us or give us our guideline we are going to implement the rough drafts of the policy and you will receive it as soon as physically possible."

Commissioner Gallegos: "What effect does the administrative complaint have on our use of CETA money?"

Inspector Pharris: "Well, very honestly Commissioner, they would be the first ones hurt. To date we have hired a hundred and forty-nine CETA employees, twenty-two of which are white males and all of the rest are

protected classes or minorities. They would be the first ones cut out if our funds are frozen."

Commissioner Murphy: "You mean the CETA people entirely or the white males?"

Inspector Pharris: "No, the whole program. Those are revenue sharing funds."

Commissioner Gallegos: "My understanding is that the Mayor's Office has received the disputed complaint and we have 30 days to respond, or I should say the Mayor's Office has 30 days to respond on this and I am wondering what other steps we would be required to take as we are one of the main agencies, is that correct, that is over and beyond whatever can be worked out and coming back with another offer?"

Inspector Pharris: "My understanding is the point of the problem was the fact that we were considering Temporary Appointments of individuals who had passed the Sergeants examination by seniority rather than their place on the list. That has been held in abeyance, so the point now is rather moot." :

Commissioner Gallegos: "No, I am referring to the use of Community Development Funds. The administrative complaint is filed with the Treasury Department by the Affirmative Action Group."

Chief Gain: "Isn't that Revenue Sharing Funds?"

Inspector Pharris: "Yes, but as I understand the Act the learned Law Professor could probably change my opinion on this, but I believe that any State or Local body or court that finds any agency receiving Federal Funds where a finding of discrimination has been made, the individual Governor of the State and the head of the City or County Agency are notified by the Department of the Treasury that a finding has been made of discrimination. Subsequent to that they have 30 days to respond to the Department of the Treasury stating what actions they will take to remedy this. Once the finding has been made there is no appeal to the Treasury Department to offset the finding, only how are you going to remedy this."

Commissioner Gallegos. "The proposed remedy is in process? The proposed response by the City is in process?"

Inspector Pharris: "I have to depend on the Chronicle for that information Commissioner, and they said that the Latinos for Affirmative Action and the Mayor's Officer were responding to this and that the Latinos

for Affirmative Action would be amenable to recommendations made. I think that is a fairly accurate quote from the Chronicle."

Chief Gain: "Well, if I may comment, it would seem to me that whatever problems may exist now would be one of the Civil Service process and rules as regards to past hiring. Certainly we are doing all we can, we are promoting off the list and abiding by Charter and other Civil Service Rules and Procedures and specifically, now that we are very aggressively working on an Affirmative Action Plan, it would appear that we would meet requirements. At least that is my impression. So we are committed to making a plan and you will have it by the end of the week."

Commissioner Murphy: "What is standing in the way of an acceptable Affirmative Action program for the Police Department, anything like Charter provisions?"

Chief Gain: "That is what we will know when we are at the bottom line of what we are doing right now. We will know whether there are any Charter blocks or Civil Service Rules or whatever. That will be a part of, perhaps it will be identified to the Commission in fact with recommendations if that is appropriate, if Charter or Civil Service Rule changes are required. We don't know yet, we've looked through the process at some of the things that the group will be doing. They will be making an overview of the selection process promotion procedures, Civil Service Rules, the recruit process, our training school curriculum, grievances by personnel, assignment and transfer policy in the police department, disciplinary actions taken, quite comprehensive pertaining to the area we are talking."

Commissioner Gallegos: "Chief, the thing I am interested in is if the City is preparing a response on the Revenue Sharing matter or the use of Revenue Sharing money, that should undoubtedly include what the Police Department is doing in respect to satisfying the Treasury that we are doing everything with all deliberate speed in conformity with compliance and I would like to see that if we could when it is drafted, to find out what are recent responses to the overall response that the City is going to be making to the Federal people."

Chief Gain: "We will confer with the Mayor's Office and give you a report next week."

Commissioner Siggins: "Thank you very much gentlemen."

SENATE BILL NO. 164 - AMENDMENT TO THE MLYERS, MILIAS,
BROWN ACT. - CONTINUED TO APRIL 6th, 1977.

Chief Gain: "Mr. president, we gave you quite a volume of material and because of time I question whether the Commission has been able to read it, there is no time pressure so this could be put over for discussion next week if it is the pleasure of the Commission?"

Commissioner Siggins then asked if there was an amendment to this Bill and the Chief stated that Lieutenant Trueb would explain the issues. Lieutenant Trueb said that at the time of the writing of the information which was requested by the Commission, the State and National Affairs Committee of the Board of Supervisors had on its Calendar Senate Bill 164. He stated that they had Hearings on it yesterday at 10:00 a.m., and during the course of those Hearings some of the persons testifying indicated that there was an amendment to Senate Bill 164. He stated that he believed that there was, in fact, such an amendment but unfortunately the Police Department does not as yet have a copy of the Amended Bill. He stated that the State and National Affairs Committee took that into consideration in their findings and their comment to the people who were there requesting support of the State and National Affairs Committee were advised that they certainly could amend their position if the amendments to the Bill indicated it was substantially changed, and he stated he couldn't quote but he felt he could fairly restate their primary concerns at the meeting yesterday which seemed to be along the lines of binding the City to conditions and terms of employment, wages wise, which they could in no way fiscally handle. He stated that the question is whether the amendments which were introduced and which the Department does not as yet have here, would effect that control. He further stated that the Board has in fact taken a position that on Monday they will recommend an appropriate position to the full Board. He continued by saying that he had heard that the State and National Affairs Board was going to recommend on Monday to the full Board to oppose this particular Bill, Senate Bill 164 in the un-amended versions.

Further discussion was held on this matter, after which Commissioner Ciani asked if the Commission could direct to the full Board a letter which would indicate that the Commission is just interested in the management aspects of the Bill apart from the Supervisors interest in the financial aspects, and ask them not take any position that would favor the Bill as long as the provisions that call for compulsory and binding arbitration are in it, unless the Commission has an opportunity to submit its comments.

Chief Gain stated that the Department would prepare the letter tomorrow morning for the Commission's signature.

DISCUSSION OF PROCEDURAL PROVISIONS OF THE PILOT
PROGRAM OF THE OFFICE OF CITIZENS COMPLAINTS -
CONTINUED TO APRIL 6th, 1977

Commissioner Ciani stated that she had prepared a draft of a Resolution which she had had distributed to the other Commissioners along with a memorandum which commemorates some of the points which she thought needed to be discussed. She stated that the Commission should take a position on what she had proposed, tonight and consider the issues that she raised along with whatever other issues the Commission may feel appropriate to make a decision on. She stated that this would, in effect, clear the air, as to what the CCO program would be if it were to be funded by the Board of Supervisors. Further discussion on this issue continued and centered around the possible exclusion of former Police Officers as civilian investigators, physical separation of the civilian investigators from Internal Affairs Bureau personnel, the obtaining of specifications for Hearing Officers, procedures for assigning cases to the CCO and IAB units and the possible development of an adversary relationship between the units when evaluation standards are applied. The matter was then continued to the following week wherein the Resolution would be prepared for adoption in its final form.

RESOLUTION NO. 134-77

HEARING OF POLICE OFFICER MICHAEL H. GALLAGHER, PARK
POLICE STATION.

WHEREAS, the hearing of Police Officer Michael H. Gallagher was called, it having been set for this date; and

WHEREAS, Mr. Stephen Bruce Bley, attorney for Police Officer Michael H. Gallagher, has requested a continuance in this matter because of Officer Gallagher's continued incapacitation due to earlier injuries sustained; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Michael H. Gallagher, is set for Wednesday, April 27, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, hall,
Murphy, Siggins

RESOLUTION NO. 135-77

AMENDING THE ADMINISTRATIVE CODE OF THE CITY AND
COUNTY OF SAN FRANCISCO BY AMENDING SECTION 10.117-3

THERETO TO INCREASE THE AMOUNT OF MONIES IN THE
POLICE OFFICERS' TRAINING FUND.

WHEREAS, the existing maximum of \$200,000 for the Police Officers' Training Fund was established by Ordinance in Section 10.117-3 of the San Francisco Administrative Code in 1970; and

WHEREAS, since that time the cost for personnel, equipment, and facilities to conduct police training have increased dramatically; and

WHEREAS, the cost of training for the coming fiscal year is estimated at approximately \$397,000 and reimbursements from the Peace Officers' Standards and Training are anticipated to be in excess of \$700,000; and

WHEREAS, since the estimated reimbursements for training exceed costs by more than \$300,000, it is apparent that a requested increase would insure adequate funds for training; therefore be it.

RESOLVED, that the Board of Supervisors are hereby requested to enact an Ordinance amending Section 10.117-3 of the San Francisco Administrative Code to provide for an increase in the maximum annual amount of the Police Officer's Training Fund from the present \$200,000 to \$400,000 to insure that adequate training funds are available for the fiscal year 1977-78.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 135-77

AMENDING THE ADMINISTRATIVE CODE OF THE CITY AND
COUNTY OF SAN FRANCISCO BY AMENDING SECTION 10.117-3
THERETO TO INCREASE THE AMOUNT OF MONIES IN THE POLICE
OFFICERS' TRAINING FUND.

RESOLVED, that the Board of Supervisors be, and they are hereby requested to amend the Administrative Code of the City and County of San Francisco by amending Section 10.117-3 thereto to increase the amount of monies in the Police Officers' Training Fund, as follows:

Be it ordained by the people of the City and County of San Francisco:

Section 1. Chapter 10 of the San Francisco Administrative Code is hereby amended by amending Section

10.117-3 thereof, to read as follows:

SEC. 10.177-3. POLICE OFFICERS' TRAINING FUND.

(a) Established. There shall be established in the treasury of the City and County a special fund to be known and designated as the Police Officers' Training Fund into which shall be deposited all funds, not to exceed \$400,000 in any one fiscal year, allocated by the Commission on Peace Officer Standards and Training to the City and County from the Peace Officers' Training Fund maintained by the State Treasury, and any excess over and above \$400,000 shall be deposited in the General Fund.

(b) Use of money in fund. The Police Officers' Training Fund shall be used exclusively for the recruitment and training of members of the uniformed force of the police department in San Francisco, including but not limited to expenses incurred in the recruitment of qualified officers, purchase of equipment and training aids, expenses incurred in attending seminars, training schools and conferences, expenses incurred in training officers who are on an overtime basis during training, expenses incurred in assigning officers on an overtime basis to fill the regular duty assignments of officers being trained and such other expenses as may be incurred in the recruitment and training of members of the Police Department.

(c) Administration of and expenditures from fund. The procedure of administering the Police Officers' Training Fund shall conform to the provisions of the Charter, the annual appropriation ordinance and the procurement procedure as prescribed by the Controller and the Purchaser of Supplies..

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

2560 SLOAT BOULEVARD - J. FARMERS MARKET

- a) At 2560 Sloat Boulevard, install a 22' yellow zone, east of west property line.

1300 GRANT AVENUE - POSTER MAT

- a) At 1300 Grant Avenue, revoke 22' of 55' yellow zone - (from 18' - 40' north of Vallejo.)

801 COLUMBUS AVENUE - WEHR'S MUSIC CITY

- a) At 801 Columbus Avenue, install a 22' yellow zone, to extend north from south property line.--
- b) Revoke existing 30' yellow zone at 817 Columbus Avenue (30' - 60' south of north property line.)

#50 STARR KING WAY - FIRST UNITARIAN CHURCH

- a) At #50 Starr King Way, install a 32' Blue Zone, to extend from 105' - 137' west of Franklin.
- b) Revoke 34' white zone (105' - 137' west of Franklin.)

328 RICHLAND AVENUE - UNIVERSAL LIFE CHURCH

- a) At 328 Richland Avenue, install a 22' white zone, to extend east from west property line.

1366 SUTTER STREET - A.A. USED & NEW FURNITURE

- a) At 1336 Sutter Street, install a 44' yellow zone, to extend from 6' - 50' west of east property line.

2017 TARAVAL STREET - ACE FURNACE CO. INC.

- a) At 2017 Taraval Street, install a 22' yellow zone, from 4' - 26' east of west property line.

1160 POLK STREET - THE MOCAMBO

- a) At 1160 Polk Street, install a 44' white zone, to extend south from north property line - signs to be placed on meters 1134 and 1136 stating white zone in effect after 5 P.M.

577 SHOTWELL STREET - TUFTS SHEET METAL

- a) At 577 Shotwell Street, install a 22' yellow zone, to extend south from north property line.

APPROXIMATELY #80 SHERMAN STREET - EASTERDAY SUPPLY CO.

- a) At approximately #80 Sherman Street, install a 44' yellow zone, commencing 80' south of Cleveland (just past loading door)- for 44' south.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 86 feet of white and yellow zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RETIREMENT

A communication was received from the Retirement Board officially notifying the Police Commission of the retirement of Police Officer Melvin L. Ravella, Police Garage, for industrial disability, effective March 24, 1977.

The Communication was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 132-77

AUTHORIZING ATTENDANCE OF CAPTAIN JOHN A. MCSWELNEY AND SERGEANT ROBERT DENNISON, INTERNAL AFFAIRS BUREAU, AT AN INTERNAL AFFAIRS SEMINAR AT CALIFORNIA STATE UNIVERSITY, LONG BEACH, CALIFORNIA, FROM APRIL 26, 1977 TO APRIL 28, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Captain John A. McSweeney and Sergeant Robert Dennison, Internal Affairs Bureau, be detailed to attend an Internal Affairs Seminar at California State University, Long Beach, California, from April 26, 1977 to April 28, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Captain John A. McSweeney and Sergeant Robert Dennison in a sum not to exceed \$243 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 133-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION AND REQUEST TO CANCEL RESOLUTION NO. 118-77

RESOLVED, that the Controller be, and he is hereby requested to cancel Resolution No. 118-77 dated March 16, 1977, Supplemental Appropriation request in the amount of \$5,571 to reclassify one (1) Q2 Police Officer to one (1) 8178 Senior Attorney; and be it further

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$16,090 from the following appropriation numbers in the amounts shown:

Appropriation No. 6.161.110.000.000	
Permanent Salaries - Uniform Force	\$9,157
Appropriation No. 6.161.863.000.000	
Mandatory Fringe Benefits	
Transfer to 6.697.860.000	\$6,767
Transfer to 6.699.865.000	\$ 166
	<hr/>
	\$16,090

and credit it to the following appropriation numbers in the amounts shown:

Appropriation NO. 6.161.110.001.000	
Permanent Salaries - Civilian	\$12,228

Appropriation No. 6.161.863.000.000

Mandatory Fringe Benefits

Transfer to 6.123.862.000	\$ 715
Transfer to 6.697.860.000	\$ 2,253
Transfer to 6.699.865.000	\$ 166
Compensation Reserve(surplus)	\$ 728
	<hr/> \$16,090

to reclassify three (3) Q2 Police Officers to one (1) 8180 Principal Attorney and two (2) 8178 Senior Attorneys.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted report of members of the Department off duty due to sickness and disability for the week ending Friday, March 22, 1977, as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	76	80
Daily average for the week disabled	<u>81</u>	<u>82</u>
TOTALS	157	162

This is a decrease of five (5) members off duty daily from the previous week.

Daily percentage for the week sick	3.65
Daily percentage for the week disabled	<u>4.83</u>
TOTAL	8.48

Disabled at start of week	79
Started during the week	10
Returned during the week	15
Disabled at end of week	74
Net Gain or Loss	-5

SICK AND DISABLED FOR THE WEEK ENDING SATURDAY, MARCH 20, 1976 AT 2400 HOURS

Daily average for the week sick	67
Daily average for the week disabled	<u>106</u>
TOTAL	173
Daily percentage for the week sick	3.60
Daily percentage for the week disabled	<u>5.83</u>
TOTAL	9.43

SICK AND DISABLED FOR WEEK ENDING TUESDAY, MARCH
1, 1977 AT 2400 HOURS

Daily average for the week sick	88
Daily average for the week disabled	<u>76</u>
TOTAL	164
Daily percentage for the week sick	4.48
Daily percentage for the week disabled	<u>4.67</u>
TOTAL	9.15

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

MR. STEVEN DIAZ, DEPUTY CITY ATTORNEY'S REPORT
REGARDING YELLOW CAB BANKRUPTCY HEARINGS.

Commissioner Siggins: "I have asked the Assistant City Attorney, Steven Diaz, to come here tonight because a number of the Commissioners have been asked questions by telephone and presented with written proposals about the Yellow Cab situation. Mr. Diaz, I want to first of all thank you for coming here and explaining the status, go on, why don't you just sit down?"

Mr. Steven Diaz: "Mr. President, Members of the Commission, Chief, as you are all undoubtedly well aware, the bankruptcy court held hearings here in San Francisco on Friday and Monday, a week ago (?), two weeks ago now, the purpose of which was the continued hearing on the complaint which we have filed - our office has filed - at the request of the Mayor in order to have the order stay which issued automatically against this Commission in proceedings against Yellow Cab Permits lifted. Also for purposes of proceeding with the proposed sale of the entire estate of Yellow Cab to certain bidders which included a group of bidders who were bidding for the entire estate, Harold Dobbs representing one of those groups. There was a Mr. Jackson representing himself; and there were other groups an ESOP Committee which didn't have nothing in writing to bid; and a number of individuals who had come forward offered the opportunity to bid one at a time on the 488 outstanding permits which were in possession of Yellow Cab at the time that they became bankrupt. Those hearings came to a physical conclusion and the court took the matter under submission.

Last Friday the court ruled that none of the bids were acceptable to the court and of course in bankruptcy any time a proposed sale is brought forward by, in this case we have a receiver, there has to be a hearing before the court and no sale can be consummated without approval of the court. So the judge's order in effect negating any of the proposed sales and so the status is that we are back at ground zero and the receiver has been instructed by the court to attempt to find prospective buyers at a private sale

which means the receiver will conduct whatever meetings with interested parties he deems necessary to make the best deal he can and go back to the court. In the interim, our complaint proceeds phase....."

Commissioner Murphy: "Could I interrupt for just a second? Who is the receiver and how do people get in touch with him?"

Mr. Steven Diaz: "The receiver is Robert N. Mateer and he works with Sutro and Company in San Diego."

Commissioner Murphy: "Oh, in San Diego."

Mr. Steven Diaz: "And they will have to contact him in San Diego."

Commissioner Murphy: "OK."

Mr. Steven Diaz: "Now our complaint was filed some months ago before the naming of the receiver. Accordingly, leave of court will have to be obtained and the complaint amended to name the receiver as a real party in interest. Since not only was there no receiver at that time there was no reason to believe that there would be a receiver appointed. So once that permission is obtained and that complaint has been amended new summonses will have to be issued and served and the opinion of the City Attorney is that we have very firm legal grounds to contend that those permits are not property, that there is no vested right in them. That the State has no right to sell those permits and that rather this Commission is entitled to have the stay against this jurisdiction lifted to proceed with hearings in regard to the disposition of those permits and should this Commission decide that the conditions obtained pursuant to the Municipal Code as charged by the Chief that those permits are not invalid - Police Code Part 3 of the Municipal Code is all one in the same, Commissioner. That, uh, at that time this Commission would be free to go forward on holding hearings to issue new permits and of course the difference being that instead of \$1,000 transfer tax immuring to the benefit of the City you would have sixty-five hundred dol- seventy-five hundred dollars (pardon me) coming in as revenue for each and every single new permit."

Commissioner Gallegos: "How is that amount set? Since they do appreciate substantially."

Mr. Steven Diaz: "That amount, Commissioner, there is no intrinsic commercial value in the permits themselves. They transfer between private parties according to what willing buyers and willing sellers will allow. The transfer tax, a \$1,000, is set in law and that's when there is a private sale which is approved by this Commission. However, the fee of \$7,500 is also set in the Municipal Code as the fee which is fixed for the issuance of new permits."

Commissioner Gallegos: "You can't deal with the market value, is that right?"

Mr. Steven Diaz: "No, you cannot. This Commission cannot."

Commissioner Ciani: "On what basis did the court rule that none of the bids were acceptable?"

Mr. Steven Diaz: "Well, I suppose you would have the court here to explain its ruling. I think the court felt, number one, that the offer submitted by Mr. Dobbs on behalf of his clients was clearly inadequate, that it did not represent the fair commercial value of the estate and although sales and ~~bankruptcy~~ are of necessity distress sales, that it was so far below the value of the estate that it was not acceptable to them."

Commissioner Murphy: "Yes, but that included the permits."

Mr. Steven Diaz: "Well, that included the right, title or interest, if any, of the permits subject to the right of this Commission to approve or disapprove the transfer and subject further to the final resolution of the complaint which we have filed."

Commissioner Ciani: "So you might end up really overbidding, then, if we prevail on that complaint and we can revoke."

Commissioner Murphy: "What did he bid? Two million and something?"

Mr. Steven Diaz: Well, it was \$2.45 million plus the assumption of some five hundred some odd thousand in first and second notes on the real property."

Commissioner Ciani: "Can I ask you a question - if you were not to prevail on this complaint - on whether or not they are property - then there really wouldn't be any way that we could revoke some. I have heard people argue that perhaps 300 is the optimum number rather than 480 or how many there are. But unless you prevail on your argument they are not property we would have no way to revoke some number of those permits on our own feeling that there is no public convenience and necessity to justify that number, is that correct?"

Mr. Steven Diaz: "Well, Commissioner, without commenting on the merits of litigation is this, which it is not our custom to do at public hearings but to go directly to the issue of whether or not you could not allow all of the outstanding permits assuming we do not prevail in the resolution to be reissued. The court has acknowledged it has not the power to order this Commission to approve or disapprove any particular sale; all the court can do is commend the sale to you. All right?"

Now if you hold a hearing on public necessity and convenience and you should find that the number of permits outstanding at the present time is more than is required by the public necessity and convenience you may then withdraw some of those permits."

Commissioner Siggins: "There was a potential proposal to us by the buyer that they were going to come in and recognize that fact and suggest to us on transfer that they give back some permits. They are prepared to surrender some permits. But of course whether or not the Dobbs group will ultimately buy Yellow Cab including any of its right and the permits is problematic."

Commissioner Ciani: "Well, if they surrender the permits could we just take that surrender without having to have any hearings, we wouldn't need public convenience and necessity hearing?"

Mr. Steven Diaz: "Well, I don't know -- we haven't reached that question yet because we are still dealing with the more basic issue."

Commissioner Siggins: "Well we had commenced hearings to cancel Yellow's permits because they weren't being operated and just before that period the court said we would have to hold that and prevented us from doing anything and what Mr. Diaz referred to was the plaintiff's hearing on motion inside the hearing that stayed that order."

Mr. Steven Diaz: "Well, bankruptcy language being used and not used anywhere else in the law what would normally be referred to as a motion to modify or annul a stay is, in bankruptcy referred to as a complaint pursuant to Rule 1144 of the Rules of Bankruptcy."

Commissioner Siggins: "Well, Okay Steve, another thing you did not really answer Commissioner Ciani's question as to on what basis Judge Katz made the ruling, one was....."

Mr. Steven Diaz: "Well, we can't speak for the court, Commissioner - I think that is the first thing we have to say. Well, Commissioner, again, excuse me, there are a couple of problems - we did have an in camera session with the judge. All counsel to the litigation had an in camera session with the judge. Uh, however, that's not a matter of public record and that is not a matter at which we feel the liberty to disclose publicly the court's private discussion with us. Speaking of you as clients in another form perhaps we could go into this matter; not here and now. In terms of what the court has said on the record, the court was concerned that the Dobbs offer represented a very low return. Assuming that the court has the right to sell those permits, the Dobbs

offer comes in, figures out arithmatically at approximately \$2,000 a permit which is clearly a price far below any market, even one which would be diminished because of the sudden flood of so many available permits."

Commissioner Siggins: "Well, I thought it was \$6,000 dollars per permit?"

Mr. Steven Diaz: "Well, no Commissioner, Mr. Mateer, the receiver, first represented that the Dobbs offer was \$4,000 a permit when he was inquiring and then he said, well it's \$6,000 and then the following day when he was inquiring again he said no, perhaps it's more two to three and in fact Mr. Sulmayer who is the chief counsel for the debtor, Yellow Cab, from the beginning evaluated the Dobbs offer at \$2,000 a permit and, uh, as the creditors committee figured out and analyzed that offer it came out to \$2,000 per permit."

Commissioner Ciani: "Why are you talking only about the Dobbs offer. I understood that this auction tested how much you would get by auctioning the permits individually."

Mr. Steven Diaz: "Alright, that's the other, See, what happened at the first hearing on our motion, remove the stay was that the judge inquired of the debtor whether or not they had made any good faith efforts after all to get to help the City and County with its public service problems and get those taxis back on the streets. Mr. Sulmayer very dramatically rose and proclaimed to the court that yes they had and to demonstrate further their good faith they would offer to sell to any comer, first come, first serve subject to approval of the courts, subject to approval of the transfer by this Commission any permit, one or more, that they may have for \$6,500. That ultimately because they had so many offers in, it became an auction concept. Quite now, is not clear to me. Uh.... the auction was held and what they found was what the creditors committee had been saying right along - that if the permits are property they have more value than \$2,000 apiece and therefore the Dobbs offer would be inadequate - so by that standard the Dobbs offer was considered to be inadequate. Further, there has never been a survey of the property of Yellow Cab. So, for example, we do not know, uh, what the taxicabs themselves are worth. We know they have radios, but the radios can be worth anywhere from \$50 to \$1,200."

Commissioner Ciani: "Well, they would probably sell the meters too."

Mr. Steven Diaz: "Well, that whole valuation has not yet been thoroughly done."

Commissioner Ciani: "Has there been an appraisal?"

Mr. Steven Diaz: "There is an appraisal which was conducted by the debtor. However, again, there is no survey of which I am aware and a copy of that appraisal has not at the present time yet been made available to the creditors committee and so we're really blind men walking around in the dark as far as creditors are concerned."

Commissioner Ciani: "Where do we go from here? Are we waiting now for some decision on the property argument? Is that the next step?"

Mr. Steven Diaz: "Well, several things are happening simultaneously. First, the receiver has been ordered by the court to proceed with a private sale. So he is therefore supposed to go out and develop any offer for the estate or any part of the estate that he can to bring in the maximum return for the creditors. I would point out that the City and County of San Francisco is a creditor pursuant to our agreement at the airport in an amount, depending on how you analyze the contract, ranging from \$187,000 to perhaps as much as \$487,000. So we are interested that there should be some return to the creditors, uh, in this estate. Uh.....while that process goes forward, of course, my complaint goes forward and that will undoubtedly be appealed, whichever side has an adverse ruling on it because there are millions of dollars at stake and, uh, I frankly am somewhat dismayed that the court chose over a series of months to continue my complaint rather than to rule on it and to continue it to such a point where the whole constitution of the debtor changed. Now we're in a receiver situation, the court's been allowed auctions and other kinds of sale arrangements to go forward and the whole proceeding is frankly in a very confused state and it's very disturbing. I know Commissioner Siggins....."

Commissioner Siggins: "So, what did the court do with after all these bids have been made on an individual basis? Did the court make a comment on this ruling?"

Mr. Steven Diaz: "No, the court, the formal letter as I understand it is very vague. It says for political, social and economic reasons the court finds the offers to be inadequate. And I would point out there that the court has been quite sensitive to the fact that this Commission, if sales of permits are to be made, will have to address itself to public interests which are not ordinarily considered in a bankruptcy. And I think one of the reasons Judge Katz did rule was that he was concerned about what would happen if so many hundreds of applicants for transfers came into this Commission for hearings and then were turned loose on the streets of San Francisco as small operators. I get the impression the court has addressed itself in general terms on the record to that."

Commissioner Murphy: "Has he recognized the fact that it would be almost impossible to police the operation if we have hundreds of individuals getting them?"

Mr. Steven Diaz: "Well, those arguments have been advanced by various parties at the hearings and, um, certainly the behavior of the judge in rejecting all of those individual permits which came to a substantial sum of money, \$3.4 million I believe is the figure, recognizes, must be necessarily recognition of that problem."

Commissioner Siggins: "Mr. Spain, we are discussing something with the City Attorney, do you have something further?"

Mr. Spain: "It's just the language you turn loose an impossible situation you haven't held open hearings on this to find if actually this is true."

Commissioner Siggins: "Well, okay we are going to ask the City Attorney."

Mr. Steven Diaz: "Well, in terms of if the Commissioner is asking what seems to be on the judge's mind, that seems to be from what the judge has said to be on his mind as a factor he considers to be important. Uh, and it is a matter which has been addressed by the attorney for the debtor, by the receiver, by the attorney for the creditors committee as well as almost everyone making an appearance has at least in one form or another chosen to address that issue because they all have perceived it as an important consideration in the disposition of the estate of Yellow Cab."

Commissioner Murphy: "But the individual bids have amounted to about \$3 million, would you say?"

Mr. Steven Diaz: "Well, I believe that the total came to about \$3.4 million when they finally added it up."

Commissioner Siggins: "Well, I would be, not guessing but the record indicates the debts are about 14 million."

Mr. Steven Diaz: "Well, again, we have a problem, Commissioners, because we believe that there are approximately \$11 to \$14 million in outstanding debts against Yellow Cab of San Francisco; however, at the last opportunity I had to examine the receiver, I asked him how many, for example, how many liens were outstanding against the real property and he could not tell me what the number of liens was. Nor could he

tell me what their total value might be. Nor could he provide me with a survey of the value of the radios and the other equipment in the taxicabs or the cabs themselves. So we have a long way to go."

Commissioner Siggins: "Well, he had been appointed about three (3) weeks before."

Mr. Steven Diaz: "Well, he has not had perhaps enough time to do these things but if the question arises do we know? The answer is we don't know because we can't answer those questions."

Commissioner Gallegos: What position do the former employees have in regards to back pay, pension and other benefits? And then what position would the City take in this regard?"

Commissioner Siggins: "Back pay was only about two days or three days, two days."

Mr. Steven Diaz: "Well, that's right - back pay is entitled to certain priority up to worth."

Commissioner Murphy: "Is it like in a Tenants Lien?"

Mr. Steven Diaz: "Well, no there is, the bankruptcy law itself sets up a priority for such wage plans. Some of that has already been paid. Right. The bigger items are the claims of the pension fund which I believe amount to \$1.1 million and they have various judgment liens which are the result of various actions - Alameda, Los Angeles, here, but all filed here, uh, and are valid are alleged to be valid against the real property here. The other liens have never been described to me and no report has ever been made to the creditors committee although I had at least three creditors committee requests for written reports from first the debtor and then from the receiver had been made. Those requests have gone unanswered and the court has made a complaint about that."

Commissioner Siggins: "Now Mr. Diaz, why do people come to us - what answer are we going to give to people who come to us and say 'we have a permit, we bid on a permit, we are entitled to one. We were high bidders'?"

Commissioner Murphy: "And they say, 'we want to pursue - the bidding'?"

Mr. Steven Diaz: "The answer to that is number one, as to those who say that they were successful bidders at an auction - they did on the condition that the court approved the bid. The court has issued its order refusing to approve any bid. Therefore, no

person was a successful bidder at auction failing that condition. When it comes to any person who inquires as to obtaining a new permit or otherwise to have this Commission act on any permit which was formerly held by Yellow Cab, we are under order of court pursuant to Rule 1144 of the Bankruptcy rules which suspends the jurisdiction of this Commission to hold any hearing affecting the disposition of those permits."

Commissioner Siggins: "Now Mr. Diaz, I was criticized of not being in attendance at the auction. Do you think there is any merit to that?"

Mr. Steven Diaz: "Mr. President, that is a wholly unmeritorious contention because number one, there was no requirement that the City and County either as a creditor or as a complainant be present. The attorney for the creditor's committee was present so our interests in that regard were well represented, uh, the auction was itself simply a device to take in bids, it was a mechanical procedure and as the President is aware and I will make the other Commissioners aware now, the court had previously indicated to us that it had not intended because a receiver was now on the scene to take the matter off calendar pending the appropriate amendment and reserving. So there was absolutely nothing that your President could have done at that hearing. He was not invited to that hearing and if any of you happen to have been there you would know that, uh, if that hearing which attracted over 600 people into one courtroom and for which no advance arrangements had been made by way of registration, security and the like and the like effect, I got a call from Judge Peckham, the chief judge here, would I arrange security the morning before the hearing; so, uh, it was absolutely chaos."

Commissioner Hall: "The President could have made a bid, however, had he been present."

Mr. Steven Diaz: "The City Attorney would have been most disappointed if the Commissioner had chosen to do so."

Commissioner Siggins: "I could ask certain types of people about what the Department feels and I have spoken with one Commissioner who probably would be looking for somebody to, of course the idea would be somebody to replace the services of Yellow Cab performed in its heyday, and maybe some of my compatriots ought to ask Lieutenant Dempsey and his Department about the type of things that would happen if permits were given out on an individual basis. That is why we have asked Lieutenant Dempsey to be here tonight."

Lieutenant Dempsey: "First, I want to point out, Commissioner, you were represented at the hearings up there by either myself or members of the cab detail were up there monitoring the auction or whatever you want to call it. Counsel was also present. I could point out that there's four major cab companies in San Francisco - DeSoto, Veteran, Luxor and City. And there is 361 cab permits permanent right now. 361, yes. Four companies own 265 of those 361. We have splinter groups, have companies that own as many as one permit up to maybe twelve permits. Also we have 91 emergency permits given out at the direction of the Noard of Supervisors because of defunct Yellow Cab. So we actually have 452 cabs on the street right now and companies that we are having problems with, for instance, if a purse is left in a cab or if a cab driver is getting nasty to a customer and the customer complains is these splinter groups that are working out of gas stations or might be working out of their own garage. We try to contact them and it is very difficult. So, in my opinion, it would be chaotic to give the cab permits out to say an individual. We would recommend strongly that they go out as a fleet into an organizational corporation."

Commissioner Siggins: "The 265 permits that are divided between the four major companies - all have radio service?"

Lieutenant Dempsey: "Yes, sir. These are the four companies that do have radio service. We have no problems with them as far as communication. If we have a problem with driver, we get a complaint, we call one of the major companies, it could happen to be one of their drivers and inside of an hour that driver is in our office. We have no problems whatsoever."

Commissioner Ciani: "Well, you could have separate ownership of the permits and still have an understanding that those owners would be subject to some centralized authority."

Lieutenant Dempsey: "Yes, this is the way the major companies are set up right now. DeSoto has individual owners, but they formed a corporation and work under one company."

Commissioner Murphy: "And Veterans, too, don't they?"

Lieutenant Dempsey: "Yes, all of them, Commissioner. We would have no objection to that, separate owners, but we would like them to form a group."

Commissioner Murphy: "What about Rose? I see quite a few of those. Rose Cab Company, they have got more than one cab."

Lieutenant Dempsey: "Rose? They could have, and I could be guessing if I said six or eight."

Commissioner Siggins: "We had, he gave me a list, but I don't have it here."

Commissioner Ciani: "Do we have all of the illegal taxis under control at this time?"

Lieutenant Dempsey: "Yes we had one of the gentlemen - two of them in yesterday for the permit hearing from, uh, from uh City Cab and Eagle Cab, they both are eventually for hearings."

Commissioner Ciani: "Do you suspect that there are other illegal operations aside from those two?"

Lieutenant Dempsey: "Well, we've got the greatest thing going for us right now, Commissioner, down at the airport where they started a fee down there - you have to go through a line and the airport police monitor a cab to come in there now and it's absolutely fantastic. I think we're getting probably a letter a day from them complaining about something. Something regarding a faulty medallion or something happening."

Commissioner Ciani: "Do they get enough information so you can pursue those?"

Lieutenant Dempsey: "Yes, ma'am. We are pursuing them. We're going against DeSoto, we've got them coming in for a hearing and, uh, we're pursuing every one of them."

Commissioner Hall: "Am I to understand that the cabs are more controllable under one umbrella than the separate cabs?"

Lieutenant Dempsey: "Yes sir, by far."

Commissioner Siggins: "Then that goes not only on discipline but the insurance standpoint? Checking with the insurance?"

Lieutenant Dempsey: "I might point out to you that the insurance right now on a cab is \$5,000 a year per cab. It's terrible. You can't be a poor man to go into the cab business today."

Commissioner Siggins: "Okay, thanks Lieutenant. Mr. Spain, you wanted to say something?"

Mr. Spain: "As he mentioned, the airport is a perfect place for control. Every cab in San Francisco probably passes through the airport now at least once a day. Uh, it seems like your problems with regulating cabs have been greatly eased by the airport situation and, let me point out that there were 100 cabs up until the Yellow folding which did not have radios. And that is the crucial problem - just not communications as far as radios."

Commissioner Siggins: "Are you the gentleman that

Mr. Spain: "Yes, I called you, I called you."

Commissioner Siggins: "You sent out the letter?"

Mr. Spain: "I sent nothing that was written."

Commissioner Murphy: "Would you like to give us your name?"

Mr. Spain: "Michael Spain. I am a taxi driver - I have been driving for five years."

Commissioner Hall: "We have something with your name on it."

Mr. Spain: "No, that's Mr. Spahn - S - P - A - H - N." If Mr. Spahn were here, there's no resemblance. What I would like to point out is that I am in favor of the individual owners - well let me say that at this auction, a majority of the buyers were people who were already in the taxicab business. They were the biggest buyers, the Chinese and different individuals who already owned one Cab Col, it's not like you were selling to 450 new individuals, you are actually selling to approximately 150 individuals, to of whom are already in the business or have had intimate connections and maybe another 100 who are drivers who are going to enter the business. And these people are not my age, gentlemen, most of them are from 40 to 55, 60 years old, very responsible people in the community. And -."

Commissioner Siggins: "Mr. Spain, this is not a convenience and necessity hearing. Do you think that putting 500 more permits out on the streets now would be right?"

Mr. Spain: "Yes, it would. 400 would be alright."

Commissioner Murphy: "How about 300?"

Mr. Spain: Three hundred, again, like to see 300 to 350, I want to remind the Commission that the more taxis on the street the less is the worth of the medallions that were previously held. And the people who are already in the

industry are interested in seeing the least amount of taxicabs go back out on the street and that's why I, uh -."

Commissioner Siggins: "I was also talking about service to the public."

Mr. Spain: "300 I consider is a very fair number."

Commissioner Hall: "You're talking about a maximum of about 700 or more cabs."

Mr. Spain: "Well, yeah, when Yellow was in operation there were 850 licensed cabs. Yellow held 500 but only used between 300 and 350 or sometimes it was rumored 420 during peak times, that is the summer."

Commissioner Siggins: "Okay."

Commissioner Hall: "Presently we have better than 400? Correct?"

Commissioner Siggins: "91 are temporary."

Commissioner Murphy: "Oh, they are?"

Commissioner Siggins: "Yeah, 91 are temporary medallions that uh, so there are really 361 permits which are operating now."

Mr. Spain: "I contend that if the judge of the bankruptcy had known, had been given some kind of information beforehand he would have only auctioned off 300 permits at that time. He may have only auctioned off 300 and kept the other 150 or 188."

Commissioner Siggins: "Our contention is if he gave us back the permits he auctioned off we would have looked at the situation differently. Our contention is that he has no jurisdiction over any of the permits."

Mr. Spain: "Well, you see, that wasn't important in the auction. Both Dobbs and the individual bidders were bidding knowing that that suit was pending. The judge guaranteed that the money would be returned to the individual bidders if the Police Commission rejected, did not transfer, if the Board of Permit Appeals also rejected it or if later the City was to win their suit in Federal Court. So we were bidding knowing that our bets were covered. We were reassured that by the judge."

Commissioner Siggins: "Okay, thanks."

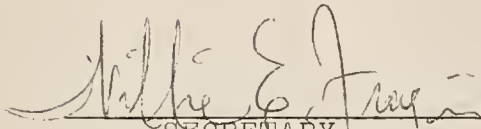
Commissioner Ciani: "I think we should thank Mr. Diaz

for the very well prepared report he presented to us at this late hour."

Commissioner Murphy: "Thanks for staying through all of this."

Mr. Steven Diaz: "If the Commissioners have questions, I hope they will realize that I am available and not only at these meetings."

The Commission then adjourned its meeting.



SECRETARY

6 APRIL 1977

EXECUTIVE SESSION

Minutes
The ~~Police~~ Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 6, 1977 in Executive Session at 1700 hours and Regular Session at 1730 hours.

PRESENT: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

Commissioner Siggins presiding.

DOCUMENTS

MAY 24 1977

1. - PERSONNEL MATTERS.

NO VOTE WAS TAKEN ON THIS ITEM.

SAN FRANCISCO
PUBLIC LIBRARY

6 APRIL 1977

REGULAR SESSION

The members of the Commission, having been furnished copies of the minutes of the meeting of February 23, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report tonight Commissioners. There are so many agenda items."

Commissioner Ciani: "I am sure you are going to explain to us why you are in your uniform."

Chief Gain: "Oh yes, last Thursday, I wore my uniform because I had an appointment to be on a TV program and the person that was the interviewer had for about a year, expressed some interest and desire for me to wear a uniform and so I felt it would be appropriate that morning to get a favorable reaction for the interviewer so I wore the uniform. I decided Thursday that I would wear it all day and made a comment that I would wear it all this week and hence without any regret I am wearing it all this week. To my consternation Monday morning my Staff was surprised when I walked in. Some news people came in and they expressed shock but that was on Monday and now I find that people are becoming accustomed to it. I have now shocked the Commission and you are accustomed to it."

SENATE BILL NO.164 - AMENDMENT TO THE MEYERS, MILIAS,
BROWN ACT.

Chief Gain: "This was on our previous agenda. The Commission passed a resolution urging the Board of Supervisors to oppose passage. The Board of Supervisors now has opposed the passage of that Bill so the Police Commission now can of course choose if it so desires to adopt a Resolution which will be sent to the legislators or whatever."

Commissioner Murphy: "Another Resolution?"

Chief Gain: "Well, if you desire to make it known to our Representatives in Sacramento what the position of the Commission is, then that should be done, because of the action of the Board of Supervisors. They have acted in opposition. Or you can authorize me to take appropriate action on whatever it may be."

Commissioner Ciani: "Well our position is expressed in the letter that was sent to the Board of Supervisors and I think we should make a consistent position known to the legislature."

Commissioner Murphy: "Did you find out what the amendments were though? You remember we heard they were going to amend it."

Chief Mullen: "The one that I saw eliminated police officers other than those under 830.1 which still included us therein."

Commissioner Murphy: "Did it in anyway limit the provisions of the act to salary or working conditions or anything like that or did it include both? Because we had some concern about that."

Chief Mullen: "Not the amendment that I saw but as Lieutenant Trueb syas, that might not be the only amendment."

Commissioner Siggins: "Barring some change in the collective bargaining aspect of the Bill, we could address a letter to the legislature and give them our own view."

Commissioner Murphy: "I think we could do that, but if we could do that with the reservation that if it is amended in such a way that....."

Commissioner Ciani: "It would remove the essence of the legislation if it were amended so that it

would please us. That isn't ever likely to happen."

Lieutenant Trueb: "I contacted Mr. Gerber who is the City's new legislative representative and I indicated to him that the Commission was interested in receiving any amendments to that Bill and had taken a position by Resolution and was waiting for the City's position so we will be informed of any changes. I tend to agree with Commissioner Ciani that they would never change that piece of legislation to where it would satisfy the punch that the Commission had in it's letter."

Commissioner Siggins: "We will prepare a letter to the legislature in that regard."

Commissioner Gallegos: "I submit that we make a recommendation to have the Chief express our comments.Are you going to go up and testify?"

Chief Gain: "Yes sir, it wouldn't take any resolution for that though, the Commission's statement stands now and of course I am authorized to just go ahead and represent that feeling."

Commissioner Ciani: "While you are up there would you ask them about this quota on citations? I would like to make a comment about that. From my own observations, which I have expressed many times, people disregard stop signs and traffic lights in this city to an alarming degree. I wish I could give tickets to the number of people that I see going through traffic lights and stop signs. If the Police Officers' Association opposes the principle of giving traffic citations and that is what it appears to the public, that the Police are not doing their job. I think it is only going to aggravate the situation and that is of great concern to me. I wonder whether there are any statistics on the accidents that occur at intersections because of people going through stop signs and traffic lights?"

Chief Gain: "Yes, there are statistics."

Commissioner Caini: "Well I see it increasing. Maybe I am more aware of it but practically every time I see a light change somebody is jumping it."

Chief Gain: (To Deputy Chief Donald Taylor), "Do you know hwat our accident experience is this year compared to last?"

Chief Taylor: "No Chief, I don't have that information on hand."

Chief Gain: (To Commissioner Ciani) "We can get that."

Commissioner Ciani: "I do think the public feels that the police are not policing those laws."

Chief Gain: "We have come to learn that effective January 1, this year the legislature passed what I feel is a ridiculous law stating that you couldn't have any type of measuring devices of that nature and I think that is sheer stupidity and I can only assume they did it because somewhere in California where they had a quota it finally got to be a legislative thing. So they say we have to measure based upon other type factors. Now what we are going to do is that we feel that we do have generally very dedicated police officers we are going to endeavor to motivate them, bring about an understanding for the need for uniformed officers to write citations when there is nothing more of a higher priority to confine them, give them more precise information on hazardous intersections and the type of citations they should be writing, and to that measure get an increased number of citations written. That is what we are going to do now."

Commissioner Siggins: "While we are talking about some of these things Chief, the President of the Bar Association sent you a letter, I don't know if you have seen it or not, it makes reference to that holding station at the Hilton Hotel and I think the Board is talking about from the newspaper report that the police use some room in the hotel as if you were using some rented room in the Hilton Hotel."

Chief Gain: "No, it is in the Garage Area of the Hilton Hotel and it is merely a room where, when certain arrest are made, they take the arrested person to that holding area to wait for the police wagon, to wait for transportation which can be ten minutes, a half hour or more in the waiting. It means also that if they didn't use that of course then the arrested person and the officer would be out on the street just standing there which would present some problems."

Commissioner Ciani: "What is the arrangement, is this just space donated by the Hotel?"

Chief Gain: "As I understand it is used by the Security Personnel of the Hotel. For the information of the Commission I evaluated that a year ago when I first learned about it and now I am evaluating it again as to getting faster police wagon response or something of that nature. There is nothing wrong per se with that holding room as I see it. It was a convenience at the courtesy of the Hotel and I am not referring directly to the Bar Association but I think people are drawing some wrong conclusions about why we utilize that room and where that room is. I would submit Mr. President, members of the Commission, that there is nothing wrong with using that facility. It is very very common in Department stores. In most regards most of those

stores do have Security Officers themselves who have security rooms which are very very common for the police to utilize those and I would say as far as liability in regard to anything the police do that they will be subject to suit if something did occur. But the fact that the room was there that wouldn't be the problem it would be some type of action that takes place as we might have to break down doors for example somewhere and we are subject to suit. So that would be the only problem."

Commissioner Murphy: "I think one of the advantages of that room is that it has on two or three sides glass, big glass windows and you can see what's going on there and people from the outside can see what's going on looking in from the street."

Commissioner Ciani: "The curtains are always drawn in there."

Commissioner Murphy: "Well they weren't the night I was there."

Commissioner Ciani: "Well the point of liability is if for example a policeman takes someone into that office and the person becomes violent and physically harms one of the hotel security people that person would have a suit against the City, I think; having been put in danger by the police bringing that person in."

Commissioner Siggins: "I think we have to respond to that letter."

Chief Gain : "Oh, I will respond to the letter."

SETTING OF DATE FOR PUBLIC HEARING RELATIVE TO AMENDING RULE 1.07 OF THE RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE DEPARTMENT - ORDER OF RANK.

Date set to be heard is April 20th, 1977.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

REQUEST OF MR. ED JUNG TO DISCUSS WITH THE POLICE COMMISSION, SECTION 1165.1 OF THE POLICE CODE.

Mr. Jung appeared and stated that he wanted this section of the police code to be further amended so that he would be allowed to have four wheels for his rickshaws instead of three. He presented to the Commission pictures of the type of vehicles he would be interested in utilizing for his business. The matter was then continued for further discussion in three weeks.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

DISCUSSION OF RESOLUTION PREPARED FOR THE PILOT PROGRAM OF THE OFFICE OF CITIZENS' COMPLAINT.

Discussion on this item centered around complainants choosing either the Internal Affairs Bureau or the CCO to investigate their complaints. Mr. Brosnahan of the Bar Association stated that a possible solution would be to assign Civilian Investigators to various neighborhoods of the City because the encouraging factors of this program is that if citizens went to make complaints they would know that they were not talking to police. Evaluation of the program internally or externally was also discussed. Mr. Brosnahan stated that he didn't want to offend the Chief but he thought that evaluation of the program should not be done by the Captains of the Police Department. Commissioner Murphy stated that she had been one of the promoters of the compromise of this program. She said she feels that there wouldn't be a chance to get the necessary funds from the Board of Supervisors for the complete program of the CCO. She further stated that she thought it would be foolish to depend entirely on outside evaluation because she didn't think that the money would be forthcoming for that either. Further discussion was held and it was decided that the resolution would be changed to make it clear what the citizens rights were and what the program would provide for them, specifically regarding their rights of choice of who would make the investigation of their complaints.

Commissioner Siggins then stated that it would be put over for further discussion at next week's meeting.

HEARING OF MR. KUNG-KAY CHIU RE DENIAL OF APPLICATION FOR PATROL SPECIAL OFFICER.

Mr. Thomas Hehir, Attorney for Mr. Kung-Kay Chiu, stated that his client had been turned down in his request to become a Patrol Special Officer for the City and County of San Francisco by Police Surgeon Dr. Norman Steiner. He stated that the Doctor rejected his clients application because of his client's dependency on contact lenses. He stated that he had spoken to a Dr. Robert Lester who has been at U.C. since 1947 and is head of the Contact Lense Department who said that his client with this type of contact lense could do Patrol Special Police work. He further stated that he had received this type of affirmation from other doctors such as Dr. Charm and Dr. Chew. He stated that he did not know what type of experience Dr. Steiner had had with this type of contact lenses but he stated and (presented to the Commission) there is an article that says they can be used. He then stated that he was just asking that his client be allowed to become a Patrol Special Officer.

Doctor Steiner stated that he did not use his own experience in terms of evaluating it, but he asked four other doctors, two M.D. Ophthalmologist and two Optometrist about it. He stated that here are extenuating circumstances that any soft contact or the old fashion contact lenses that doesn't assure its perpetual use so that you can't predict the individual will be able

to wear it for 10 hours a day. He also stated that there was the uniform concern that an individual who couldn't even see that 'NO SMOKING SIGN' from 20 feet without lenses is not safe to carry a gun. He stated that maybe they don't have the occasion to use guns or be involved as much as a police officer but there is a hazard and there is a city responsibility if while they are detaining someone they get hurt.

The Commissioners after much discussion on the matter asked Doctor Steiner to poll the various Ophthalmologist and Optometrist and report back to the Commission in two weeks with his findings.

RESOLUTION NO. 156-77

ASSISTANT INSPECTOR PATRICK A. WOLFE, BUREAU OF INSPECTORS

WHEREAS, on Monday January 31, 1977, Charles R. Gain, Chief of Police, made and served charges against Assistant Inspector Patrick A. Wolfe, reading as follows:

SPECIFICATION NO. 1

Violation of Section 118 of the Penal Code of the state of California. (Violation of Rule 2.13 of the Rules and Procedures of the San Francisco Police Department.)

and

WHEREAS, on Friday, February 18, 1977, a First Amended Complaint was made and served against Assistant Inspector Patrick A. Wolfe; deleting Specification No. 1 in its entirety and adding thereto Specification No. 2 alleging drinking intoxicating beverages while on duty (Violation of Section 2.125) and adding thereto Specification No. 3 alleging a false answer to a superior officer (Violation of Section 2.45), and adding thereto Specification No. 3 alleging failure to answer questions truthfully while under oath (Violation of Section 2.13)

and

WHEREAS, on Wednesday, March 2, 1977, a First Amended Complaint (substituted) was made and served against Assistant Inspector Patrick A. Wolfe, deleting Specification No. 1 in its entirety and adding thereto Specification No. 2 alleging drinkin intoxicating beverages while on duty (Violation of Section 2.125 and adding thereto Specification No. 3 alleging a false answer to a superior officer (Violation of Section 2.49) and adding thereto Specification No. 3 alleging failure to answer questions truthfully while under oath (Violation of Section 2.13)

and

WHEREAS, the Police Commission set Wednesday, April 11, 1977, as the date for the hearing on charges filed against Assistant Inspector Patrick A. Wolfe; and

WHEREAS, Chief of Police Charles R. Gain announced that the Police Department was in receipt of the resignation of Assistant Inspector Patrick A. Wolfe from the San Francisco Police Department; said resignation effective March 29, 1977, which resignation was accepted with the condition that the services of Assistant Inspector Patrick A. Wolfe, have been unsatisfactory and that he does not resign in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Assistant Inspector Patrick A. Wolfe, be, and the same are hereby continued off calendar.

AYES: Commissioners Ciani, Gallegos, Hall
Murphy, Siggins

RESOLUTION NO. 136-77

SUPPLEMENTAL BUDGET FOR FISCAL YEAR 1977-78- :
SAN FRANCISCO POLICE DEPARTMENT

RESOLVED, that the Supplemental Budget of the San Francisco Police Department for the Fiscal Year 1977-78, as submitted by Chief of Police Charles R. Gain in the following amount, be, and the same is hereby approved.

SUPPLEMENTAL BUDGET - \$77,161

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

HEARING OF BUILDING AND GROUNDS PATROLMAN VERNON
EASTER, SOUTHERN POLICE STATION

The hearing of Building and Grounds Patrolman Vernon Easter, Southern Police Station, was called, it having been set for this date. Building and Grounds Patrolman Vernon Easter was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Sleeping on Duty. (Violation of
Section 2.101 of the Rules and
Procedures of the San Francisco
Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police.

Building and Grounds Patrolman Vernon Easter appeared in person and was represented by Mr. Joseph O' Donoghue, Union of City Employees.

Sergeant David P. Roche, Legal Office, appeared as Prosecutor for the Police Department.

The reading of the charges was waived.

Mr. Joseph O'Donoghue, on behalf of Building and Grounds Patrolman Vernon Easter, entered a verbal plea of "not guilty" to Specification No. 1.

Opening statements were made by both the Prosecution and the Defense.

The matter was then continued at the request of Mr. O'Donoghue who asked for a City Attorney's opinion in regard to Police Commission jurisdiction in the handling of disciplinary matters for non-sworn members of the Department.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

MEET AND CONFER WITH THE SAN FRANCISCO POLICE OFFICERS' ASSOCIATION

Present for S.F.P.O.A.

Jerry Crowley
Stephen Solomon
Ralph Salzman
Joe Patterson
Jack Ballentine
Paul Chignell

Present for Police Commission:

Richard J. Siggins
Judith E. Ciani
Herman E. Gallegos
Jane M. Murphy
James A. Hall
Chief Charles R. Gain
Deputy Chief Kevin J. Mullen
Lieutenant Dick Trueb
Sergeant Willie Frazier

TOPIC OF DISCUSSION MEMORANDUM OF UNDERSTANDING

Sergeant Crowley in opening the meeting stated that the Appellate Court had decreed and the position of the S.F.P.O.A. , is that the Memorandum of 1974 is in effect. He stated that not only is it in effect but it will be in effect for two more years. He stated that the second point is, since it is still in effect and will be in effect for two more years, he requested that General Order #9 be rescinded and that an order from the Police Commission be issued in its place stating that the Memorandum of 1974 is still in full force and effect. He further stated that the Police Commission had had their proposals for the last six months and during those last six months; he stated he was sure that the Commission would have counter-proposals

and that his Association would accept these in writing. He stated that they would also like to modify the present proposal but it was certainly important that the Commission first of all acknowledge the existence of the Memorandum being in full force and effect.

Commissioner Siggins stated that his understanding was that the Memorandum of Understanding of 1974 was not in effect and if it was in effect it would expire on April 16th.

Mr. Stephen Solomon then intervened and stated that it was unfortunate that the City Attorney was not present but in 1975 the Police Commission by Resolution declared the 1974 Memorandum of Understanding null and void. He stated that the California Court of Appeals said that was wrong in a published opinion and that the Memorandum of Understanding was in full force and effect that the Commission had no authority to do what it did and that Mayor Alioto in settling the strike of 1975 had total power in the Charter as it then read to breathe life into the contracts. He continued by saying this Commission since 1975 has refused to live up to the provisions of the 1974 contract and that contract on page 1 said that its duration shall be for three years and there is no termination date in the agreement. He stated that during the time that the Commission said the contract was invalid and refused to live up to it, that contract was tolled and that the Association has approximately 2 years and 1 month still to go in that agreement. He then stated that the California Supreme Court denied a hearing and that there is now a motion before Judge Mullens which was set for the 29th of this month to assess attorney's fees against the City and County for loosing the law suit.

Commissioner Siggins stated that it seemed to him that the theory in what Mr. Solomon had said was cold and very species and at the first meeting the current Commission held with the P.O.A., they had went along with the recommendation of the Department in publishing General Order Number 9 in that certain things be reinstituted from the Memorandum of Understanding. He continued by saying that, but the very fact that Mr. Solomon stated that the contract is valid, he (Siggins) would have to assume that it expires on April 15th, 1977.

Mr. Solomon then stated that if the Commission takes ~~that~~ position then what it is telling the P.O.A. , is that the Commission can arbitrarily and capriciously, illegally and improperly void an agreement that it makes with the employees.

Commissioner Siggins then stated that that was not true and that the Commission, by instituting General Order #9, practically every aspect of the Memorandum of Understanding was lived up to.

Mr. Solomon interrupted by saying except the binding arbitration provisions for grievances and except the full detail at full pay and pension benefits for the President of the Association. He stated that those

are two very important aspects of the contract which have not been in effect based on what the commission did in 1975. He continued by saying his people have been deprived of the right to have binding arbitration for grievances based on the Commission's action. He stated that his was one of the key basis of the 1974 Memorandum of Understanding. He stated that the Commission issued a special order only because the Chief indicated that those aspects of that order were necessary to run the Department. He further stated that the Commission was not doing them (the P.O.A.) any great favors that they have had to pay his salary and that the P.O.A., has had no binding arbitration in any of their grievances.

Sergeant Crowley then stated that that was the P.O.A.'s argument supporting the fact that the Memorandum of Understanding was still in effect and that if the Commission and P.O.A., were going to continue to meet he suggests that the Commission acknowledge the fact that the Memorandum of Understanding is in existence, issue an order rescinding General Order #9, issue a new order and then the Commission and P.O.A., could meet for a period of two months: on the re-opening of a portion of that contract and he felt that that was at issue here before discussion began on a new Memorandum of Understanding.

Commissioner Siggins then stated that those two issues would have to be resolved. It was subsequently decided that the Commission would seek legal guidance from Mr. Milton Mares, Deputy City Attorney on the above issues and then meet again with the P.O.A., on Monday, April 18, 1977, at the POA, headquarters at 5:30 p.m.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1309-1315 - 20th AVENUE - NEIGHBORHOOD SHOE REPAIR

- a) At 1309-1315 - 20th Avenue, revoke existing 34' yellow zone - (44' - 78' south of Irving.)

200 BROAD STREET - GREATER HOLINESS TEMPLE CHURCH OF GOD IN CHRIST

- a) At 200 Broad Street, install a 22' white zone, to extend from 16' - 38' north of south property line.

1066 POINT LOBOS - CLIFF HOUSE

- a) At 1066 Point Lobos (main entrance) - revoke existing 50' white zone - (24' - 74' north of south building line.

325 ARGUELLO BOULEVARD - WAH MEI SCHOOL

- a) At 325 Arguello Boulevard, install a 22' white zone, to extend from 32' - 54' south of north property line.

522 FREDERICK STREET - STADIUM GARAGE

- a) At 522 Frederick Street, install a 62' yellow zone to extend west from east property line.

398 ONEIDA AVENUE - BRENTWOOD MARKET

- a) At 398 Oneida Avenue, revoke 40' yellow zone, from 20' - 60' east of Delano.

450 DELANO AVENUE - BRENTWOOD MARKET

- a) At 450 Delano Avenue, install a 50' yellow zone, to extend from 48' - 98' north of south property line.

1240 VALENCIA STREET - POLICE DEPARTMENT

- a) At 1221 Valencia Street, install a 132' red zone, to extend from 88' - 220' south of 23rd Street. (Also sign stating "No Parking - Police Cars Only.")

161 WILLOW STREET - POLICE DEPARTMENT

- a) At 161 Willow Street, install a 132' red zone, to extend east from east property line of #155 Willow Street. - (This area already a red zone--all that is needed is sign - "No Parking- Police Cars Only.")

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 124 feet of yellow and white zones, at various parts of the City at the

locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Lieutenant Sydney O. Olsen, Taraval Police Station, for service, effective February 23, 1977.
- b) Sergeant Thomas M. Childs, Richmond Police Station, for service, effective February 25, 1977.
- c) Sergeant Lee Nelder, Central Police Station, for service, effective March 22, 1977.
- d) Inspector Richard G. Castro, Bureau of Inspectors, for service, effective March 21, 1977.
- e) Inspector Paul A. Cavagnaro, Bureau of Inspectors, for service, effective March 21, 1977.
- f) Inspector John W. Collins, Bureau of Inspectors, for service, effective March 2, 1977.
- g) Inspector Louise M. Reed, Juvenile Bureau, for service, effective March 2, 1977.
- h) Police Officer John E. Bagot, Richmond Police Station, for service, effective March 8, 1977.
- i) Police Officer Garrett J. Scanlan, Mission Police Station, for service, effective February 14, 1977.

The Communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall
Murphy, Siggins

RESOLUTION NO. 137-77

ANNA CUSENZA

RESOLVED, that the recommendation of City Attorney for settlement of the claim of Anna Cusenza against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 25, 1976

AYES: Commissioners Ciani, Gallegos,
Hall, Murphy, Siggins

RESOLUTION NO. 138-77

DEBORAH E. HECHT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Deborah E. Hecht against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be and the same is hereby approved.

Date of Incident: October 10, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 139-77

LYNN DOROTHY LESH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lynn Dorothy Lesh against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 10, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 140-77

LINDA R. MASCON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Linda R. Mascon against the City and County of San

Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 10, 1976

AYES: Commissioners Ciani, Gallegos, Hall
Murphy, Siggins

RESOLUTION NO. 141-77

GEORGE F. MULLER

RESOLVED, that the recommendation of the City Attorneye for settlement of the claim of George F. Muller against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 10, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 142-77

NANCY E. TAYLOR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nancy E. Taylor against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 10, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 143-77

FRANK UNG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frank Ung against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 29, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 144-77

ZOLLIE BRYANT AND HIS ATTORNEYS
PISOR, VADNEY, GEORGE, MORRISON
AND BENNETT

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Zollie Bryant in the sum of \$250.00 in Superior Court Action No. 689-171 entitled "Zollie Bryant vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 24, 1974

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 145-77

ADOLPHUS MITCHELL AND HIS ATTORNEY
BROWN AND KNOLL

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Eleanor Ohman and Shashi Dalal in the sum of \$1,150 in Superior Court Action No. 685-208 entitled "Eleanor Ohman, Shashi Dalal vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 5, 1974

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 147-77

DENNIS DONOVAN, THOMAS DONOVAN AND
THEIR ATTORNEY TIMOTHY REGAN

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Dennis Donovan and Thomas Donovan in the sum of \$1,300.00 in Superior Court Action No. 676-380, entitled "Dennis Donovan and Thomas Donovan, vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 9, 1973

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 148-77

AUTHORIZING ATTENDANCE OF LIEUTENANT RICHARD D. KLAPP,
PERSONNEL AND TRAINING, AT A TRAINING NEEDS ASSESS-
MENT WORKSHOP AT CALIFORNIA STATE UNIVERSITY, LONG
BEACH, CALIFORNIA, ON MAY 5, 1977 AND MAY 6, 1977.

RESOLVED, that the recommendation of the
Chief of Police that Lieutenant Richard D. Klapp,
Personnel and Training, be detailed to attend a
Training Needs Assessment Workshop at California
State University, Long Beach, California, on May 5,
1977 and May 6, 1977, be, and the same is hereby ap-
proved; and be it further

RESOLVED, that expenses incurred by Lieu-
tenant Richard D. Klapp in attending this workshop,
will be defrayed by the California State University
at Long Beach, California.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 149-77

AUTHORIZING ATTENDANCE OF INSPECTOR ROBERT I. STONE,
BUREAU OF INVESTIGATIONS, AT AN ARSON INVESTIGATORS'
WORKSHOP AT COLUMBIA JR. COLLEGE, SONORA, CALIFORNIA,
FROM APRIL 20, 1977 TO APRIL 23, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the
Chief of Police that Inspector Robert I. Stone,
Bureau of Investigations, be detailed to attend an
Arson Investigators' Workshop at Columbia Jr. College,
Sonora, California, from April 20, 1977 to April 23,
1977, inclusive, be, and the same is hereby approved;
and be it further

RESOLVED, that expenses incurred by Inspec-
tor Robert I. Stone in a sum not to exceed \$140.00
in attending this workshop, will be defrayed by the
Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 150-77

AUTHORIZING ATTENDANCE OF SERGEANT WILLIAM TAYLOR,
INTERNAL AFFAIRS BUREAU, AT A POLYGRAPH EXAMINER

REFRESHER TRAINING COURSE AT FORT MCCLELLAN, ALABAMA, FROM APRIL 10, 1977 TO APRIL 29, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant William Taylor, Internal Affairs Bureau, be detailed to attend a Polygraph Examiner Refresher Training Course at Fort McClellan, Alabama, from April 10, 1977 to April 29, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant William Taylor in a sum not to exceed \$1,040.00 in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 151-77

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved.

Inspector Cecil M. Pharris	)	(Conference on
	)	\$182.00 (EQUAL Employ-
	)	(ment Opportun-
Captain James P. Shannon	)	(ity, Jack Tar
	)	(Hotel, San Fran-
	)	(cisco, Califor-
	)	(nia, on March 24,
	)	(1977 and March
	)	(25, 1977.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 152-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY POLICE OFFICERS VICKIE QUINN AND JAMES E. LEACH AT AN ADVANCED HOSTAGE NEGOTIATION TRAINING COURSE AT SAN JOSE STATE UNIVERSITY, SAN JOSE, CALIFORNIA, FROM FEBRUARY 18, 1977 TO FEBRUARY 20, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the

Chief of Police, Police Officers Vickie Quinn and James E. Leach, received permission from the Police Commission to attend an Advanced Hostage Negotiation Training Course at San Jose State University, San Jose, California; and

WHEREAS, Police Officers Vickie Quinn and J James E. Leach did travel to San Jose, California, from February 18, 1977 to February 20, 1977, inclusive; therefore be it

RESOLVED, that expenses in the amount of \$191.00 each incurred by Police Officers Vickie Quinn and James E. Leach while attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 153-77

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following named members of the Police Department for expenses incurred in attending the below-indicated program; said expenses having been approved by the Chief of Police, be, and the same are hereby approved:

Police Officer David Suyehiro	)\$971.00(Field Evidence
	) (Technician Train-
Police Officer Michael F. Pearson	) 971.00(ing Course at
	) (California State
	(University, Long
	(Beach, Calif-
	(ornia, from March
	(8, 1977 to Mar-
	(ch 25, 1977, in-
	(clusive.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 154-77

AUTHORIZING ATTENDANCE OF CAPTAIN JAMES P. SHANNON, PERSONNEL & TRAINING, AND POLICE OFFICER JEROME DEFILIPPO, LEGAL OFFICE, AT A CONFERENCE ON VALIDATION OF LAW ENFORCEMENT SELECTION STANDARDS IN LOS ANGELES, CALIFORNIA ON APRIL 13, 1977.

RESOLVED, that the recommendation of the Chief of Police that Captain James P. Shannon, Personnel and Training, and Police Officer Jerome De-

Filippo, Legal Office, be detailed to attend a Conference on Validation of Law Enforcement Selection Standards in Los Angeles, California, on April 13, 1977, be, and the same is hereby approved, and be it further

RESOLVED, that expenses incurred by Captain James P. Shannon and Police Officer Jerome DeFilippo in a sum not to exceed \$145.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 155-77

AUTHORIZING ATTENDANCE OF POLICE OFFICERS THOMAS ARNOLD AND STEVEN SILVERS, CRIME SPECIFIC TASK FORCE, AT A BOMB TECHNOLOGY TRAINING COURSE AT LIVERMORE, CALIFORNIA, FROM APRIL 21, 1977 TO APRIL 23, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officers Thomas Arnold and Steven Silvers, Crime Specific Task Force, be detailed to attend a Bomb Technology Training Course at Livermore, California, from April 21, 1977 to April 23, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officers Thomas Arnold and Steven Silbers in a sum not to exceed \$117.60 each in attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, March 29, 1977 at 2400 hours, as follows:

		PREVIOUS WEEK
Daily average for the week sick	83	76
Daily average for the wee dis- abled	80	81
	163	157

This is an increase of six (6) members off duty daily from the previous week.

Daily percentage for the week sick	3.75
Daily percentage for the week disabled	<u>4.84</u>
TOTALS	8.59

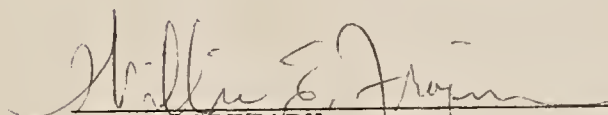
Disabled at start of week	78
Started during the week	19
Returned during the week	15
Disabled at end of week	82
NET GAIN or LOSS	+4

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY,
MARCH 8, 1977 AT 2400 HOURS

Daily average for the week sick	72
Daily average for the week disabled	<u>79</u>
TOTAL	151
Daily percentage for the week sick	3.53
Daily percentage for the week disabled	<u>4.85</u>
TOTAL	8.38

The report was ordered filed.

The Commission then adjourned its meeting.


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13 APRIL 1977

REGULAR MEETING

Minutes

The ~~Police~~ Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 13, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

Commissioner Siggins presiding.

REQUESTING APPROVAL TO MAKE NON-CIVIL SERVICE APPOINTMENTS.

Chief Gain: "Mr. President, members of the Commission, I have just had handed to you by Sergeant Frazier a letter over my signature requesting your approval to make non-civil service appointments. Pursuant to Charter Section 3.501, I request approval of the Police Commission to make up to 27 non-civil service appointments of police officers, that is of Q2's to Sergeant, the appointment to be made on May 2. In furtherance of minority affirmative action, it is my intention to appoint 22 minority officers from a list of eligibles for the position of Sergeant which has been promulgated by Civil Service. Hereafter, it is my intention to make non-civil service appointments on a one to one quota basis from the said eligible list and I request your approval to make those appointments based upon the Charter Section stated."

Commissioner Murphy: "The purpose of this of course is?

Chief Gain: "There are several reasons for it, one, we do in fact have a need for Sergeants on the street for the purposes of supervision and secondly we have a real need to exercise affirmative action. We are faced with the position where we have been notified that as effective May 10, 1977, our LEAA funds that we now have will be stopped and that will effect some \$500,000 dollars in funding and will preclude the awarding of anticipated funds in the amount of approximately a half-million dollars and that is a significant reason for us to exercise Affirmative Action. I would also state that I requested and received an opinion from the City Attorney's Office in regard to our authority to make such appointments. In light of the cases that are now in process I have delivered a copy of the City Attorney's Opinion to the Commission and the City Attorney states that it would not be a matter of being in contempt of the Federal Court in making these appointments."

Commissioner Hall: "Mr. President, in light of the reasons that the Chief has written and the opinion of the City Attorney, I move for approval."

Commissioner Siggins: "I would approve the resolution also and we have Deputy City Attorney George Agnost here and he can answer any questions regarding the cutoff of the Federal Funds."

Mr. Agnost: "Mr. President, ladies and gentlemen of the Commission, we are in receipt of Federal Funds not only from LEAA but from various other Departments in the Federal Government and have already received \$122,000,000 dollars. Under the Federal Statutory Injunction all of this money is recoverable and can be stopped in payment if we are found to have engaged in discriminatory employments and particularly if we have failed to take Affirmative Action. In respect to these temporary appointments they have to be filled and we have not filled them to the extent however, that we have made some Limited Tenure Appointments on a strictly seniority basis. As to those, 22 are non-minority, and as to the others, we should, in order to meet the burden of proof, the obligation under the Federal Law, we should appoint on a minority basis for the first 22 and thereafter on a one to one basis for minorities. I would have to say that if we don't take this action we will be putting it in direct jeopardy and we will have a cut off automatically on May 10th of approximately 6 hundred thousand dollars of any new funds and we will also be precluded from the CETA allotment of approximately 7 hundred thousand dollars which is earmarked and ready to be delivered to us. But more than that we put into jeopardy 122 million dollars that are all ways a claim with the U.S. Treasury and maybe required to pay this back unless we can show that we are not discriminating and in fact can show Affirmative Action."

Officer Jack Ballentine representing the S.F.P.O.A., stated that if the Commission passes this resolution it would be acting unilaterally and would be in violation of the 9th Circuit Court Order and interfering with a District Court Case. Mr. Agnost stated that we (the City and Police Commission) are acting on the basis of written communications, a written complaint that has been filed with the Treasury Department and with communications from LEAA telling the City about what they are going to do. He stated that common sense dictates that we act now and get them not to send their letter to cut off those funds.

The Commission then passed the following Resolution:

RESOLUTION NO. 158-77

AUTHORIZING THE CHIEF OF POLICE TO MAKE UP TO TWENTY-SEVEN (27) NON-CIVIL SERVICE APPOINTMENTS (CHARTER SECTION 8.332) OF POLICE OFFICERS (Q2) TO THE POSITION OF SERGEANT (Q50), SAID APPOINTMENTS TO BE EFFECTIVE AS OF MAY 2, 1977.

RESOLVED, that pursuant to Charter Section 3.501, the Police Commission of the City and County of San Francisco hereby approves the intended action of the Chief of Police to make up to twenty-seven (27) non-Civil Service appointments (Charter Section 8.332) of Police Officers (Q2) to the position of Sergeant (Q50), said appointments to be effective as of May 2, 1977.

Endorsement is further given to the following proposed intention to make twenty-two (22) of the twenty-seven (27) appointments of minority police officers from the tentative list of eligibles dated February 4, 1977, and thereafter to make appointments of one minority for one non-minority from said tentative list.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

The members of the Commission having been furnished copies of the minutes of the meeting of March 9, 1977, reading of same was dispensed with and the following statements were made:

Commissioner Ciani: "Regarding the March 9, 1977 minutes, there was some discussion at the end of the meeting which involved all of the Commissioners about the preference the Commission might have for disposition of the Yellow Cab permits. I believe that the way that the minutes originally reflected the consensus was not consistent with what we talked about because Commissioner Siggins' comments indicate a preference for a single company and I think there was further discussion about the alternative of having individual ownership or having the drivers have some stake in the business, consistent with centralized management. I think that was the consensus that was arrived at so I drafted an insert to the minutes. But I wanted to be sure that that's the recollection of the others who were present."

Commissioner Hall: "Did we just discuss the alternative or did we take a position? I remember when it came up I....."

Commissioner Ciani: "Well I think we did in that we asked President Siggins to make known our views which were along the lines that it would be most desirable, if possible, to attain a combination of individual interest and centralized management."

Commissioner Murphy: "I wasn't at that particular meeting but I think that at the later meeting we had with the explanation from the City Attorney certainly indicated that it was appropriate that there be some

kind of centralized management and I would be for it."

Commissioner Siggins: "I think I pointed out or meant to point out that it didn't matter to me or the Commission of whether it was one company that replaced it or it wasn't one company as long as it was some other company that acted in the best interest of it's men or whether it was an organization that was made up of individual drivers. That was fine with me. I recommend the minutes with those corrections for approval."

The vote was then taken for approval of the minutes of the meeting of March 9, 1977.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "I have no report tonight, Mr. President."

DISCUSSION OF RESOLUTION PREPARED FOR THE PILOT PROGRAM OF THE OFFICE OF CITIZENS' COMPLAINTS.

Chief Gain stated to the Commission that he had submitted to them the third draft of the Resolution dated April 11, 1977, a draft which he stated in the letter of transmittal, resulting from the meeting on Monday that he had with Mr. Schwartz, Mr. Blumberg and Ms. Vail.

Commissioner Murphy then asked why the change of title to Citizens Complaints Office rather than Office of Citizens Complaints. No particular reason was given.

A lengthy discussion was then held on the wording of the Resolution wherein Commissioner Murphy suggested several amendments. Those amendments were adopted by the Commission with the Resolution being passed in the following form:

RESOLUTION NO 198-77

RESOLUTION

Responsibility for the establishment of policy and procedures governing citizen complaints rests with the Police Commission. Responsibility for administration under the Department's citizen complaint

procedures is vested in the Chief of Police.

Subject to approval in the annual appropriation ordinance and the annual salary ordinance, the citizen's Complaint Officer (CCO) shall be composed of eight (8) civilian investigators drawing a direct salary which is substantially equivalent to that of a sergeant, and one (1) civilian supervisor, drawing a direct salary which is substantially equivalent to that of a lieutenant. The CCO shall also consist of clerical personnel available to the Police Department and assigned from time to time by the Chief of Police.

Having concluded that it is desirable that the civilian investigators and supervisor (as well as the hearing officers, referred to below) not have been a police officer, the Commission will recommend to the Civil Service Commission that to the extent permitted by law, job specifications should exclude persons who previously have been members of any police department.

The civilian investigators and civilian supervisor shall be appointed by the Chief of Police from lists of eligibles prepared by the Civil Service Commission. The CCO investigators shall receive and investigate complaints in accordance with the Department's procedures.

The Police Commission shall determine qualifications for hearing officers and shall by contract or otherwise arrange for a panel of hearing officers, consistent with budget limitations. Hearing Officers shall serve at the pleasure of the Chief of Police and for reasons stated above shall not previously have been members of any police department. They shall be compensated as stipulated by contract or on an hourly basis for services performed not to exceed the maximum compen-

sation for part-time employees established by the Civil Service Commission. Hearing Officers shall perform duties prescribed by the Department's procedures and shall be assigned in regular rotation as determined by the Chief of Police.

The Internal Affairs Bureau (IAB) of the Police Department shall also receive and investigate complaints as designated by the Police Commission and Chief of Police. The number of personnel assigned or detailed to the IAB shall be no more than is necessary to insure that the total personnel assigned to investigate citizen complaints is consistent with actual workload.

The civilian supervisor of the CCO shall be accountable directly to the Chief of Police.

Complaints may be filed at the CCO, the IAB, or at any other place or in any other manner now or hereafter provided for by the Department. At the time of filing a complaint at the IAB or CCO, the complainant shall be informed that the IAB is staffed with police officers and the CCO, with civilian personnel. The complainant may then elect to file the complaint with either unit.

If a complainant prefers to file a complaint with or have it investigated by, the IAB or the CCO, the stated preference shall be followed. If the workload capacity of either unit becomes inordinately high because of this process, the Chief of Police shall be informed so that appropriate corrective action can be taken, such as increasing the number of personnel in the affected unit or assigning complaints on an alternating basis to the other unit unless the complainant wishes to wait for the unit of his choice.

If the complainant does not state a preference as to unit, or the workload capacity of either unit is

found to be inordinately high, the complainant's statement shall be taken by the unit initially contacted.

And if the complainant agrees such complaints shall be assigned for investigation and handled by that unit which is not overloaded in sequential order of filing, as complaints which are related to the same incident shall be assigned to the same unit, after the first complaint is assigned.

Both the CCO staff and IAB staff shall apply the same citizen complaint procedures.

It is the Commission's intention that the civilian investigators be housed in separate offices from the IAB investigators. It is the Commission's further intention that IAB personnel cooperate with and assist civilian personnel through orientation and on-the-job training and that during the course of the pilot program necessary adjustments be made in order to avoid administrative or personnel problems between the two offices.

The performance of the CCO and IAB will be evaluated. At a minimum the evaluation will cover (1) efficacy of civilian investigators as compared to sworn personnel and (2) the effect, if measurable, of the CCO on the public's willingness to file complaints, to cooperate during the course of the investigation of complaints and to accept the outcome of complaints. The Commission may specify such other areas of evaluation as it shall deem necessary and may call upon consultants to assist in gathering data and information for submission to the Police Commission.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

POLICE COMMISSION DISCUSSION RE: MR. DAVID GILMARTIN'S
REQUEST FOR FIFTEEN SIGHTSEEING PERMITS.

Mr. Gary Greenfield, Attorney representing Mr. Gilmartin, presented several documents to the Commission regarding Mr. Gilmartin's qualifications. Mr. Gilmartin had previously gone to the Board of Permit Appeals because his

application for seasonal permits had been turned down by this Commission. There was also a misunderstanding as to the type of permits filed for when he appeared before the Board of Permit Appeal, for at that time it was written and stated in his application that he was filing for regular non-seasonal Sightseeing Permits. In view of these circumstances the matter was then remanded back to the Police Commission for further discussion.

Commissioner Siggins stated that in the past it has been the practice of other Commissions to tell people who were applicants for Public Convenience and Necessity that hearings weren't being considered at the present time and the people would go away and wait until the Commission decided to hold hearings. But, he said, the Board of Permit Appeals read Section 1077 of the MPC differently as to the requirements of the Commission, and, he stated, he and Commissioner Ciani were also of the same opinion that when a person files for a permit that comes within the framework of a particular statute, the Commission must hold hearings.

Mr. Greenfield stated that because of the notification of three days in the newspaper, the earliest a Hearing could be held would be next Tuesday or Wednesday. He stated that that would certainly be suitable for Mr. Gilmartin. Commissioner Ciani stated that the only question that she would have about the timing is that the Commission does not know how long these Hearings will go and that the Commission really needs some time to do some preparation and study of what alternatives that are available. She stated that the Commission had indicated in the past that it decided to look at the broad spectrum of permits and that this could be the time to do that. She further stated that rather than rush into it next week, she would prefer to try to have a week or two to try to get all of the Commissioners familiarized with the relevant information. Mr. Greenfield stated that he understood the Commission's concern but that Mr. Gilmartin had been trying for four months to get a hearing and that it has been continually delayed for one reason or another. Commissioner Murphy then asked if there would be any possibility of him giving the Commission a capsulization of what is happening and where to go to refer to the pertinent memoranda?

Mr. Greenfield stated that they would be able to provide that information to the Commission tomorrow.

The Commission then decided that the 27th of April would be the most appropriate time to hold a Hearing on the matter.

RESOLUTION NO. 181-77

POLICE OFFICER GEORGE MOISSANT, TARAVAL POLICE STATION

WHEREAS, on Wednesday, April 13, 1977, Donald L. Taylor, Captain of Police, Commanding Officer of Taraval Police Station, made and served charges against

Police Officer Geroge Moissant, reading as follows:

SPECIFICATION NO. 1

Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.

SPECIFICATION NO. 2

Leaving his residence while on disability leave. (Violation of Section 5.57 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3.

Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.

WHEREAS, the Police Commission set Wednesday, February 23, 1977, as the date for the hearing on charges filed against Police Officer George Moissant, which was thereafter continued for an indefinite period; and

WHEREAS, Chief of Police Charles R. Gain announced that that the Police Department was in receipt of the resignation of Police Officer George Moissant from the San Francisco Police Department, said resignation was effective March 26, 1977, which resignation was accepted with the condition that the services of Police Officer George Moissant have been unsatisfactory and that he does not resign in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Police Officer George Moissant, be, and the same are hereby continued off calendar.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RECOMMENDATION OS THE AWARDS COMMITTEE - CONTINUED TO APRIL 20, 1977.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

REQUESTING APPROVAL OF A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$84,960.00 TO PROVIDE FOR VARIOUS TYPES OF EQUIPMENT NECESSARY FOR THE CONTINUOUS OPERATION OF THE DEPARTMENT'S BOMB INSPECTION AND DISPOSAL PROGRAM.

Chief Gain then brought up a matter not calendared

He stated that a Mr. Harold Jenkins was in the audience representing the Geneva Terrace Community and wanted to know if the Police Commission was going to discuss getting para-professionals out to their Community to assist in eliminating the high theft rate that is seemingly on the increase in that particular area.

Commissioner Siggins stated to Mr. Jenkins that he was sorry that the matter was not discussed. The Commissioner continued by saying that he and Commissioner Ciani had made a tour with the group out there, of Geneva Terrace, and that a Mr. Mark Amos had asked them if they could get police help in the form of para-professionals. He further stated that Lieutenant Jordan was going to submit a report of the Commissioners visit out there, present it to the Chief and with that report they would go to the Mayor's Office and have a discussion highlighting the problems the people are having out there. He stated that they would try to get that meeting with the Mayor within three weeks.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

447 IVY STREET - S.F.P.D.

- a) At 447 Ivy Street, revoke existing 36' yellow zone - west of east property line.

2095 JERROLD AVENUE - CITY OF SAN FRANCISCO MARKET CORP.

- a) At 2095 Jerrold Avenue, yellow zone time limit to be extended from 12 Midnight 10 A.M. - along loading dock at the 4 main buildings - (all loading docks now are yellow zones).

1201 MARIPOSA STREET - DELUCCHI'S

- a) At 1201 Mariposa Street, install a 22' green zone, to extend west of east property line.

1298 POTRERO AVENUE - EMERGENCY ROOM

- a) At 1298 Potrero Avenue, install a 22' green sone, to extend west of east property line.

450 TAYLOR STREET - CLIFT HOTEL

- a) At 450 Taylor Street, install a 44' white zone, to extend from 55' - 99' south of north property line- (44' of existing yellow zone to be revoked, if approved.)

650 GEARY STREET - ALCAZAR THEATER

- a) At 650 Geary Street, install a 27' white zone, to extend from 36' - 63' west of east property line - (if approved to replace yellow zone, no longer needed.)

563 SUTTER STREET - BLACKWELL ANTIQUES

- a) At 563 Sutter Street, revoke Spécial Truck Loading Zone - Meters 527 & 521. -(44')

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 124 feet of yellow zones at various parts of the City of the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 157-77

HOWARD BELINSKY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Howard Belinsky against the City and County of San Francisco in the sum of \$20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 26, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 176-77

MRS. BOBBIE J. CHAFFIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mrs. Bobbie J. Chaffin against the City and County of San Francisco in the sum of \$40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 2, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 159-77

Mrs. M. GLORIA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mrs. M. Gloria against the City and County of San Francisco in the sum of \$12.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 5, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 160-77

HANS K. JENSEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Hans K. Jensen against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 10, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 161-77

THOMAS JOYCE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas

Joyce against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 26, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 162-77

LELAND LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leland Lee against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 10, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 163-77

PHILIP MAKLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Philip Makler against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 3, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 164-77

ROBERT ALAN SCHOR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Alan Schor against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 8, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 165-77

LINDA M. THOMAS

RESOLVED , that the recommendation of the City Attorney for settlement of the claim of Linda M. Thomas against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 21, 1976

AYES: Commissioners Ciani, Gallegos, Hall
Murphy, Siggins

RESOLUTION NO. 166-77

JUNICHI WATARI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Junichi Watari against the City and County of San Francisco in the sum of \$24.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 28, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 167-77

SUSIE MAUCH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susie Mauch against the City and County of San Francisco in the sum of \$58.96 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 15, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 168-77

R.B.AUKER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of R.B. Auker

against the City and County of San Francisco in the sum of \$72.78 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 29, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 169-77

ELMER W. MCCORMICK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elmer W. McCormick against the City and County of San Francisco in the sum of \$125.39 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 27, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 170-77

HELEN M. NAPOLEON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Helen M. Napoleon against the City and County of San Francisco in the sum of \$217.20 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 27, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 171-77

DOUGLAS SCHMUCKER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Douglas Schmucker against the City and County of San Francisco in the sum of \$127.78 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 31, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 172-77

TANO WARLITO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tano Warlito against the City and County of San Francisco in the sum of \$270.82 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 2, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 173-77

MRS. EVELYN HASKETT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mrs. Evelyn Haskett against the City and County of San Francisco in the sum of \$557.27 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 9, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTIONS NO. 174-77

ZACKARY HORTON AND MICHAEL DAVIS
AND THEIR ATTORNEYS FRIEDMAN & SLOAN

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Zackary Horton and Michael Davis in the sum of \$1,750.00 in Superior Court Action No. 672-567 entitled "Zackary Horton and Michael Davis et al., vs. City and County of San Francisco, "as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 13, 1973

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 175-77

CHARLES WONG

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of Charles Wong against the City and County of San Francisco in the sum of \$5,000.00 as the result of a collision with a police , be, and the same is hereby approved.

Date of Accident: September 29, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 177-77

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief Of Police Charles R. Gain, in the amount of \$4,000 charging same to Appropriation No. 6.161.890.050 as an advance on the Police Narcotic Fund for the month of April, 1977.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 178-77

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$3,000 charging same to Appropriation No. 6.161.890.000 as an advance on the Police Contingent Fund for the month of April, 1977.

RESOLUTION NO. 179-77

AUTHORIZING ATTENDANCE OF CLEMENT DEAMICIS, DEPUTY CHIEF OF INVESTIGATIONS, AGUSTIUS BRUNEMAN, SUPERVISING CAPTAIN OF PATROL, JAMES SHANNON, CAPTAIN OF PERSONNEL AND TRAINING, THOMAS PREVEZICH, CAPTAIN, CRIMESPECIFIC TASK FORCE, AT AN EXECUTIVE DEVELOPMENT COURSE AT GOLDEN GATE UNIVERSITY, TIBURON, CALIFORNIA, ON MAY 1, 1977 TO MAY 13, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Clement DeAmicis, Deputy Chief of Investigations, Agustius Bruneman, Supervising Captain of Patrol, James Shannon, Captain of Personnel and Training, Thomas Prevezich, Captain, Crime Specific Task Force, be detailed to attend an Executive Development Course at Golden Gate University, Tiburon, California, from May 1, 1977 to May 13, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Clement DeAmicis, Deputy Chief of Investigations; Agustius Bruneman, Supervising Captain of Patrol, James Shannon, Captain of Personnel and Training, Thomas Prevezich, Captain of Crime Specific Task Force, in a sum not to exceed \$356.00 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 180-77

ATHORIZING ATTENDANCE OF POLICE OFFICERS JOHN F. DEVINE, SPECIAL ASSISTANT TO THE CHIEF OF POLICE AND FRANK RACKLEY, PERSONNEL AND TRAINING, AT A STRESS WORKSHOP - ALCOHOLISM IN LAW ENFORCEMENT, AT WATSONVILLE, CALIFORNIA, ON MAY 2, 1977 TO MAY 4, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officers John J. Devine, Special Assistant to the Chief of Police and Frank Rackley, Personnel and Training, be detailed to attend a Stress Workshop - Alcholism in Law Enforcement, at Watsonville, California, on May 2, 1977 and May 4, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officers John F. Devine and Frank Rackley will be defrayed by the National Conference of Christians and Jews.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 184-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller, be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$84,960.00 from the following appropriation number in the amount shown:

Appropriation No. 6.161.110.000.000
Permanent Salaries - Uniform Force \$84,960.00

and credit it to the following appropriation in the amount indicated:

Appropriation No. 6.161.900.962.000
Bomb Inspection & Disposal Program \$84,960.00

to provide for various types of equipment for the continuous operation of the department's Bomb Inspection and Disposal Program.

AYRS: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, April 5, 1977 at 2400 hours:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	88	83
Daily average for the week dis- abled	<u>88</u>	<u>80</u>
TOTALS	176	163

This is an increase of 13 members off duty from the previous week.

Daily percentage for the week sick	4.03
Daily percentage for the week disabled	<u>5.33</u>
TOTAL	9.36

Disabled at start of week	81
Started during the week	20
Returned during the week	13
Disabled at end of week	87
NET GAIN OR LOSS	+7

SICK AND DISABLED FOR WEEK ENDING SATURDAY, APRIL 3, 1976, AT 2400 HOURS

Daily average for the week sick	50
Daily average for the week disabled	<u>127</u>
TOTAL	177
Daily percentage for the week sick	2.72
Daily percentage for the week disabled	<u>7.19</u>
TOTAL	9.91

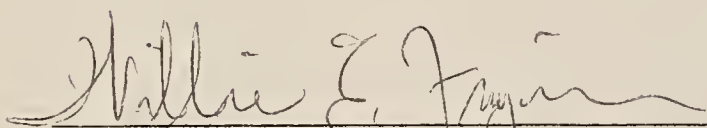
SICK AND DISABLED FOR WEEK ENDING TUESDAY, MARCH 15, 1977 AT 2400 HOURS

Daily average for the week sick	80
Daily average for the week disabled	<u>82</u>
TOTAL	162
Daily percentage for the week sick	3.69
Daily percentage for the week disabled	<u>4.89</u>
TOTAL	8.77

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

The Commission then adjourned its meeting.



SECRETARY

MAY 31 1977

20 APRIL 1977

REGULAR MEETING

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Minutes

The ~~Police~~ Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 20, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meetings of March 16, 1977 and March 23, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain stated to the Commission that he was reporting tonight on the result of the Budget as to what items were disapproved at the Mayor's Office level. He then had Lieutenant Michael Lennon of the Planning and Research Bureau give an overview of the Budget cuts administered by the Mayor's Office Budget Staff. Lieutenant Lennon stated that the Budget as submitted by the Police Department was in the amount of \$83 million four. He said that the budget that was approved by the Mayor's Office is in the amount of \$77 million six as opposed to the Department's \$83 million four. In relating to some of the significant cuts or items deleted, he stated that the Department requested 130 new uniformed personnel and those were denied, but they did approve 37 civilians in their place. He stated that in extra duty uniformed force account which is the overtime, the police department for the current year has \$755,000, the Mayor's Office approved \$750,000. As a side note to that he stated, six years ago the police department had over a million dollars in the overtime account and in that six (6) years the overtime account has now been decreased by 25% while the salaries have increased by 35%. He stated that in the line item for school crossing guards the Department had requested \$274,000 dollars this year and the Mayor's Office approved \$180,000 and this will require a reduction of approximately 1/3rd of the activities of the School Crossing Guards. He continued by saying that a similar situation is reflected in the line item for Police Cadets which means numbers in personnel must be cut in half from 37 to 18. Other cuts mentioned were in the uniforms account, and communications dispatchers. He also stated that all

capital improvement items were zeroed. This included the Crime and Photo-labs. He stated that the budget is now scheduled to go to the Finance Committee of the Board of Supervisors for a Public Hearing. He continued by saying that the Police Department's Hearing is this Friday night at 7 p.m. Chief Gain stated that in regard to the Capital Improvement items that were deleted the Finance Committee can restore those but that was the only thing they would be able to restore. He said the Department, come Friday night, would be requesting the Finance Committee to restore all of those items that were deleted. Commissioner Ciani stated that she would like to go on record as objecting to this treatment of the Department's budget and stated that she would like to suggest that the Commission send a letter to the Mayor so stating. She said that the Department went through the same process last year and suffered for the remainder of that fiscal year being unable to perform the services that the public was demanding because the Department didn't have an adequate budget. She suggested that the Commission go on record as having done it's best and having objected to these additional unexplained cuts. She continued by saying that she objected to the fact that there was no effort to justify the cuts in terms of priorities so that the Commission could understand the necessity for them. She said that she assumes that they were necessary but wonders what other services might be sacrificed that are of a lower priority than police services.

Commissioner Gallegos stated that he could understand some of the cuts but when it came to cutting into the efficiency of the Department by cutting out funds for the Crime and Photo Labs and the Communications System you are talking about the ability of Police Officers to do their job properly on behalf of the public. He stated that he didn't think the public would complain about paying for those things that are necessary for the preservation of life and safety.

Commissioner Siggins stated that he was satisfied that the Commission had presented a barebones budget to the Mayor. He further stated that he wanted to compliment the Chief, Chief Mullen and Lieutenant Lennon for fighting for that budget in the Mayor's Office and explaining and having the answers for every item that they asked about.

Commissioner Ciani stated that she would draft a letter and if any other Commissioner wished to share their feelings in it or sign it, she would circulate it to them.

The Chief then stated to the Commissioners that in the second part of his report that the Department had submitted a request for a Supplementary Appropriation request for some \$260,000 dollars to continue the operation of the Department's Street Crime Unit until 1 July. He stated that it was approved by the Mayor's Office and Lieutenant Lennon in following it up found that the money was needed right away or else discontinue the SCU and make some other arrangements. He stated that the Controller would not authorize the use of the Department's Salary savings money to fund the continued overtime that is required to continue the Department's Street Crime Unit. He continued by saying that as of today the Department no longer has overtime funds to

pay the overtime district station officers to work overtime to maintain the Department's 50 odd man Street Crime Unit. He stated that he was going to pursue that matter, and that the Controller has stated that the salary savings that he wanted to have re-appropriated to fund this unit is not money belonging to the General Fund and they would allow the Department to submit its' supplementals but they would have to take its' place with all other Supplementals submitted by other Departments of the City. Further discussion was held after which time the Chief ended his report.

RESOLUTION NO. 190-77

HEARING OF MR. KUNG-KAY CHIU RE DENIAL OF HIS APPLICATION TO BECOME A PATROL SPECIAL OFFICER - APPROVED.

WHEREAS, Mr. Kung-Kay Chiu was denied certification to become a Patrol Special Officer by Dr. Norman H. Steiner, Police Surgeon, on January 28, 1977; and

WHEREAS, his attorney, Mr. L. Thomas Hehir, Jr., submitted a letter to the Police Commission requesting that the matter be calendared for a hearing; and

WHEREAS, on April 6, 1977, the Police Commission held a hearing in regard to Mr. Chiu's qualifications to become a Patrol Special Officer, and at said hearing Dr. Norman H. Steiner, Police Surgeon, stated that even though Mr. Chiu's contact lenses raises his eyesight to accepted acuity, his concern has been that a Patrol Special Officer with a gun would not be capable of using it without his glasses, and would therefore, himself be a hazard; and

WHEREAS, the Police Commission requested Dr. Steiner to seek other medical opinions as to the use of the type of contact lenses used by Mr. Chiu. The matter was continued until April 20, 1977; and

WHEREAS, on April 20, 1977, Dr. Steiner presented verbal information from medical eye doctors indicating that Mr. Chiu would be able to carry out the duties of a Patrol Special Officer; therefore be it

RESOLVED, that the application of Mr. Kung-Kay Chiu to become a Patrol Special Officer for the City and County of San Francisco, be, and the same is hereby approved provided that Mr. Chiu's acuity and contact lenses, as recommended by Dr. Steiner, be

checked at six (6) month intervals.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 189-77

FINDING AND DECISION OF POLICE COMMISSION IN THE
HEARING OF APPLICATION FOR CERTIFICATE OF PUBLIC CON-
VENIENCE AND NECESSITY FOR ISSUANCE OF TAXICAB PER-
MITS (36) - DENIED.

WHEREAS, Mr. J. William Roberts has applied
to the Police Commission for Certificate of Public
Convenience and Necessity for the issuance of taxicab
permits (36), and

WHEREAS, this matter came on for hearing
before the Police Commission of the City and County
of San Francisco on Wednesday, April 20, 1977; and

WHEREAS, Commissioner Siggins inquired if
there was any opposition in the granting of thirty-
six (36) taxicab permits to Mr. J. William Roberts,
and to which the answer was "yes" and

WHEREAS, the law requires that in order to
determine that Public Convenience and Necessity exists,
the Police Commission must find, among other things,
the following:

- a) The applicant is financially responsible.
- b) That the persons, firms, or corporations
holding permits or licenses for the operation
of motor vehicles for hire are under effec-
tive management earning a fair and reason-
able return on their capital devoted to such
service.
- c) That persons, firms, or corporations pre-
sently holding permits or licenses for
the operation of vehicles for hire are, under
normal conditions, inadequately serving the
public; and

WHEREAS, Commissioner Siggins stated that
at the present time persons, firms, and corporations
holding permits or licenses for the operation of motor
vehicles for hire are adequately serving the public;
therefore be it

RESOLVED, that the Police Commission has looked
into the matter for several weeks, and it has been estab-
lished by clear and convincing evidence, and beyond a
reasonable doubt, that public convenience and necessity
does not require the operation of thirty-six (36) addi-
tional taxicab permits; therefore be it

RESOLVED, that the request of Mr. J. William Roberts for thirty-six (36) taxicab permits, be, and the same is hereby denied.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 186-77

RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE
DEPARTMENT - AMENDED

RESOLVED, that effective at 0001 hours, Thursday, April 21, 1977, the following amendment to the Rules and Procedures of the San Francisco Police Department, be, and the same is hereby approved:

RULE 1.07

ORDER OF RANK

CHIEF
DEPUTY CHIEF
COMMANDER
CAPTAIN
LIEUTENANT
SERGEANT
POLICE OFFICER - POLICEWOMAN

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RECOMMENDATIONS OF THE AWARDS COMMITTEE

Commissioner Ciani: "As usual it was very exciting to listen to some of the rather remarkable instances of bravery presented before the Awards Committee, in particular one of the gold medal recipients unanimous vote which I believe was the only unanimous Gold Medal in the memory of those present. That was Officer Thomas Perdue who while off duty performed very heroically in saving a fellow officer, also off duty, who was in an auto accident. I don't know if you have seen the photographs but his automobile was disabled on the highway, struck by another and completely incinerated. He sustained third degree burns affecting almost his entire body and Officer Perdue at great risk to himself removed him from the vehicle while it was in flames. It was quite exciting to hear about it and to see the photographs. I would recommend that we approve all of these awards and I would also like to recommend that we upgrade two of them, Officers Arsanis and Wohler, who missed receiving a Gold Medal by one vote and Officer's Stansbury and Knighton who missed a Silver Medal by two votes.

RESOLUTION NO. 188-77

RECOMMENDATIONS OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor- Gold Medal, Silver Medal, Bronze Medal, under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department as approved by the Awards Committee on Wednesday, April 13, 1977:

- *Police Officer Joseph Arsanis.....Gold Medal of Valor
- Police Officer Thomas Perdue.....Gold Medal of Valor
- *Police Officer William H. Wohler.....Gold Medal of Valor
- Police Officer Brian M. D'Arcy.....Silver Medal of Valor
- Police Officer Thomas M. Heffernan.....Silver Medal of Valor
- **Police Officer Robert C. Knighton.....Silver Medal of Valor
- Police Officer Frank A. Machi.....Silver Medal of Valor
- Police Officer Jeremiah W. Morgan.....Silver Medal of Valor
- Police Officer Michael V. Rolovich.....Silver Medal of Valor
- **Police Officer Ronald E. Stansbury.....Silver Medal of Valor
- Police Officer Richard H. VanWinkle.....Silver Medal of Valor
- Sergeant Edward R. Fowlie.....Bronze Medal of Valor
- Police Officer Patricia O. Beauchamp.....Bronze Medal of Valor
- Police Officer David D. Brown.....Bronze Medal of Valor
- Police Officer Charles R. Brewster, III...Bronze Medal of Valor
- Police Officer Michael W. Conway.....Bronze Medal of Valor
- Police Officer Alex E. Fagan.....Bronze Medal of Valor
- Police Officer John J. Grizzel.....Bronze Medal of Valor
- Police Officer Richard D. Holder.....Bronze Medal of Valor
- Police Officer Michael J. Morello.....Bronze Medal of Valor
- Police Officer Robert C. Mulry.....Bronze Medal of Valor
- Police Officer James M. Petrie.....Bronze Medal of Valor
- Police Officer Robert J. Puts.....Bronze Medal of Valor
- Police Officer Reno L. Rapagnani.....Bronze Medal of Valor
- Police Officer Martin T. Sacco.....Bronze Medal of Valor
- Police Officer Andrew E. Stoepfelwerth...Bronze Medal of Valor
- Police Officer Gregory W. Winters.....Bronze Medal of Valor
- * Changes from Silver Medal of Valor to Gold Medal of Valor on recommendation of the Police Commission.
- ** Changes from Bronze Medal of Valor to Silver Medal of Valor on recommendation of the Police Commission.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 187-77

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following-named members of the Police Department have been commended for courageous Service under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Wednesday, April 13, 1977; and

WHEREAS, Chief of Police Charles R. Gain has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Police Officers Joseph Arsanis, Thomas E. Perdue, and William H. Wohler, be, and they are hereby awarded Gold Medals of Valor and granted a reward of \$200.00 each as provided for under said section of the Charter; and be it further

RESOLVED, that Police Officers Brian M. D'Arcy, Thomas M. Heffernan, Robert C. Knighton, Frank A. Machi, Jeremiah W. Morgan, Michael V. Rolovich, Ronald E. Stansbury, and Richard H. VanWinkle, be, and they are hereby awarded Silver Medals Of valor and granted a reward of \$100.00 each as provided for under said section of the Charter; and be it further

RESOLVED, that Sergeant Edward R. Fowlie, Police Officers Patricia O. Beauchamp, David D. Brown, Charles R. Brewster, III, Michael W. Conway, Alex E. Fagan, John J. Grizzel, Richard D. Holder, Michael J. MOrello, Robert C. Mulry, James M. Petrie, Robert J. Puts, Reno L. Rapagnani, Martin T. Sacco, Andrew E. Stoeppelwerth, and Gregory W. Winters, be, and they are hereby awarded Bronze Medals of Valor and granted a reward of \$50.00 each as provided for under said section of the Charter.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

3431 TARAVAL STREET - BERGER LAUNDROMAT

a) At 3431 Taraval Street, install a 22'

green zone, to extend east of west property line.

3530 TARAVAL STREET - AMITY STORE

- a) At 3530 Taraval Street, revoke existing 24' yellow zone, and install 24' green zone, to extend from 3' - 27' east of 44th Avenue.

2700 GOUGH STREET - THE CHAIR PLACE

- a) At 2700 Gough Street, revoke existing 19' yellow zone, - 62' north of Union.)

TEA GARDEN DRIVE - GOLDEN GATE PARK

- a) From east side of Tea Garden Drive - a 66' Blue Zone, to extend east (for 66').

3500 GEARY BOULEVARD - PARK WALKER CORPORATION

- a) At 3500 Geary Boulevard - install a 22' yellow zone, to extend from 13' - 35' west.

400 PIOCHE STREET - E. THOMAS BOARD & CARE

- a) At 400 Pioche Street, install a 22' white zone, to extend west from east property line.

409 - 19th AVENUE - BELL SAVINGS & LOAN

- a) At 401 - 19th Avenue, revoke existing 27' yellow zone - (48' - 75' south of Geary).

198 PERRY STREET - SAN FRANCISCO COMMUNITY COLLEGE

- a) At 198 Perry Street, (under Freeway) - revoke 2 existing yellow zones-- (57', 13' - 70' east of 4th Street., and 36', 100' - 136' east of 4th Street.)

290 TOWNSEND STREET - ELECTRICAL APPLIANCES

- a) At 290 Townsend Street, install a 66' green zone, to extend from 34' - 100' west of east property line.

AUTHORIZING ATTENDANCE OF POLICE OFFICERS MICHAEL AMBROSE PARK POLICE STATION, KIRK BROOKBUSH, TARAVAN POLICE STATION, AND ALEX FAGAN, SOUTHERN POLICE STATION, AT A FIELD EVIDENCE TECHNICIAN TRAINING COURSE AT CALIFORNIA STATE UNIVERSITY, LONG BEACH, CALIFORNIA, FROM MAY 10, 1977 TO MAY 27, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officers Michael Ambrose, Kirk Brookbush, and Alex Fagan, be detailed to attend a Field Evidence Technician Training Course at California, State University, Long Beach, California, from May 10, 1977 to May 27, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officers Michael Ambrose, Kirk Brookbush, and Alex Fagan, in a sum not to exceed \$978.40 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall
Murphy, Siggins

RESOLUTION NO. 185-77

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved:

Lieutenant William D. Rivas	)	(Middle Management
	)	(Course at Humboldt
Lieutenant John E. Guenley	)	(State University,
	)	\$800.50 (Kelseyville, Calif-
Lieutenant Edward H. Hartman	)	each (ornia, from March
	)	(27, 1977 to April
Lieutenant Richard J. Shippy	)	(8, 1977, inclusive.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, April 12, 1977 as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	95	88
Daily average for the week dis-	<u>88</u>	<u>88</u>
abled		
TOTALS	183	176

This is an increase of seven (7) members off duty daily from the previous week.

Daily percentage for the week sick	4.57
Daily percentage for the week disabled	<u>5.33</u>
TOTAL	9.90

Disabled at start of week	89
Started during the week	23
Returned during the week	17
Disabled at end of week	95
Net Gain or Loss	+6

SICK AND DISABLED FOR WEEK ENDING SATURDAY, APRIL 10, 1976 AT 2400 HOURS

Daily average for the week sick	3.65
Daily percentage for the week disabled	<u>4.83</u>
TOTAL	8.48

SICK AND DISABLED FOR WEEK ENDING TUESDAY, MARCH 29, 1977 AT 2400 HOURS


Daily average for the week sick	83
Daily average for the week disabled	<u>80</u>
TOTAL	163

Daily percentage for the week sick	3.75
Daily percentage for the week disabled	<u>4.84</u>
TOTAL	8.59

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos,
Hall, Murphy, Siggins

The Commission then adjourned its meeting.



SECRETARY

27 APRIL 1977

REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 27, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

DOCUMENTS

Commissioner Siggins presiding.

JUN 9 1977

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Commissioners Ciani and Gallegos requested to abstain from voting on item number 7 of the Consent Calendar. Motion was made by Commissioner Murphy to allow them to do so and it was seconded by Commissioner Hall and voted for approval by Commissioners Hall, Murphy, and Siggins. The item itself was then approved by the same three Commissioners.

AYES: Commissioners Hall, Murphy, Siggins

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER CRAIG PIRO, BUREAU OF SPECIAL SERVICES.

Mr. Stephen Bruce Bley, Attorney for Officers Rodriguez and Piro, stated that criminal charges were pending against his clients and that he felt it would be impossible for him to defend them while those charges were pending. He stated that he was asking the Commission to hold the Hearings in abeyance until the matter had been adjudicated in the criminal courts. He further stated that he would like to make several motions. He continued by saying that as the Commission knows, both officers are currently suspended from duty. He stated that he would respectfully request that they be placed back on duty for the following reasons:

1. They are performing police duties now because they are being continually subpoenaed to testify in court and they are not being paid for it;
2. There is a paycheck which they earned prior to suspension that has not been released, and
3. He stated he could not see where the public would be injured insofar as their being restored to duty.

Chief Gain responded by saying that the Department has the evidence to pursue a hearing before the Commission. He stated that in grave matters, Officers are suspended pending a hearing before the Commission. He said when the Department does not have the evidence such as in the recent Federal Indictments, he couldn't pursue a suspension pending charges before the Commission so there is a difference in the matter of policy. He stated when the Federal Authorities refuse to give the Department the evidence against those indicted officers then they are assigned to inside jobs pending a Federal Trial or until such time as the Department receives the evidence. Wherein in this case, he stated, the Department does have the evidence and is ready to proceed with the Hearing.

Commissioner Siggins then stated that the matter would be continued for two weeks at which time the Commission would rule on Mr. Bley's motion.

RESOLUTION NO. 200-77

POLICE OFFICER CRAIG S. PIRO, BUREAU OF SPECIAL SERVICES.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Craig S. Piro, Bureau of Special Services; as follows:

SPECIFICATION NO. 1

Bringing discredit upon the Department. (Violation of Rule 2.13 of the Rules and Procedures of the San Francisco Police Department.) (Two Counts.)

by Charles R. Gain, Chief of Police, of the San Francisco Police Department; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Craig S. Piro, Bureau of Sepcial Services, be, and the same is hereby set for Wednesday, May 18, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION 201-77

POLICE OFFICER ROBERT J. RODRIGUEZ, BUREAU OF SPECIAL

SERVICES

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Robert J. Rodriguez, Bureau of Special Services, as follows:

SPECIFICATION NO. 1

Bringing discredit upon the Department. (Violation of Rules and Procedures of the San Francisco Police Department.) (Three Counts.)

by Charles R. Gain, Chief of Police, of the San Francisco Police Department; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Robert J. Rodriguez, Bureau of Special Services, be, and the same is hereby set for Wednesday, May 18, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 197-77

POLICE OFFICER MICHAEL H. GALLAGHER, PARK POLICE STATION

WHEREAS, on Wednesday, March 30, 1977, Edward J. Laherty, Captain of Police, Commanding Officer of Golden Gate Park Police Station, made and served charges against Police Officer Michael H. Gallagher, reading as follows:

SPECIFICATION NO. 1

Breach of the peace. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Resisting arrest and bringing discredit upon the Police Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to obey lawful order. (Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Intoxicated to the extent of being unable to perform police duties. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Leaving of residence while on disability leave. (Violation of Section 5.57 of the Rules and Procedures of the San Francisco Police Department.)

and

WHEREAS, on October 8, 1976, Charles R. Gain, Chief of Police, made and served additional charges against Police Officer Michael H. Gallagher, reading as follows:

SPECIFICATION NO. 1

Conduct reflecting Discredit upon the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

WHEREAS, the Police Commission set Wednesday, April 27, 1977, as the date for the hearing on charges filed against Police Officer Michael H. Gallagher; and

WHEREAS, Chief of Police Charles R. Gain, announced that the Police Department was in receipt of the resignation of Police Officer Michael H. Gallagher, from the San Francisco Police Department; said resignation effective April 25, 1977, which resignation was accepted with the condition that the services of Police Officer Michael H. Gallagher have been unsatisfactory and that he does not resign in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Police Officer Michael H. Gallagher, be, and the same are hereby continued off calendar.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain stated that he did not have a report for the Commission tonight.

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever, right, title or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFeree</u>	<u>NO. OF PERMITS</u>
Thomas Hardy 749 London Street San Francisco, CA.	Daniel Villanova 18 Avalon Avenue San Francisco, CA.	1

Route: Mission Street - Ferry to Sickles Avenue

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

PUBLIC HEARING TO DETERMINE IF PUBLIC CONVENIENCE
AND NECESSITY EXISTS FOR THE ISSUANCE OF FIFTEEN
(15) SIGHTSEEING BUS PERMITS. APPLICANT: DAVID
F. GILMARTIN.

The matter of the application of David F. Gilmartin for new Certificates of Public Convenience and Necessity for the operation of 15 Sightseeing Busses was called, the application having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto.

Commissioner Siggins advised the applicant and protestants of the ground rules which are to be followed during the hearing. They were also advised to make arrangements for their own court reporter because the Police Commission will not engage the services of a court reporter.

Mr. Arthur Schwartz representing Mr. Gilmartin stated that they had some further statistics and data not included in the package of materials previously sent to the Commission and he would like to present it in graphic form. He stated that in the interest of efficiency he would identify their witnesses and have them identify themselves if it is acceptable to the Commission.

At this point Commissioner Siggins then asked Officer Morris Martindale as to how many sightseeing permits issued by the Department are currently in operation. Officer Martindale stated that Greyline currently had 43, and that there are other Companies with specialized Sightseeing permits, the Cable Car Bus Co., owned by Mr. Edmund also has three permits and there is a Mr. Jung who owns a Chinatown Rickshaw. He continued by saying that the Cannery at Ghiradelli Square were issued two sightseeing permits to operate an Omni-bus but they were revoked by the Police Commission for non-use. They were able to survive only during the summer months during the winter months they went out of business on the 24th of October 1971. He stated that there was one other permit for a Horse Drawn Carriage in Golden Gate Park issued by the Chief of Police. He stated that Greyline first received their 43 permits May 17, 1926 when several other companies amalgamated and became Greyline. He stated that in 1963 they were transferred from the Estate of William Mulpeters to Greyline Inc.

Mr. Schwartz was then allowed to continue his presentation. He stated that their intention was to show the Commission that there was a large and broad market available for providing Sightseeing per capita, not tour but per capita services. He stated that they have designed generally a program which will fit markets that are now untouched and that will fulfill very basic needs and very important conveniences here in the City of San Francisco. He then presented charts which graphically illustrated their plans. He then introduced the following speakers who were in support of Mr. Gilmartin's application for the Sightseeing permits:

Mr. Cliff Putnam, Consultant to the Sightseeing Tour Business.

Mr. John Krebs, Director of Sales for Scenery Unlimited (Ground Operator)

Mr. Tom Judy, District Parking Manager of Holiday Inns

Mr. Dave Gilmartin, Applicant for Sightseeing Permits.

Mr. Allen Smith, Falcon Bus Lines

Mr. John Saunders, Vice President of Travway International.

Mr. Ernest Stent, Attorney for Greyline, stated that they would like to have one week in which to prepare their response to Mr. Gilmartin's presentation. He stated that there may have been a misunderstanding in that they were promised a folder with information on Mr. Gilmartin's proposed Convenience and Necessity but did not receive it. He stated that applicant obviously put in a lot of time and effort in preparing his presentation for tonight's hearing. He stated that he would think that it would be appropriate to accord them (Greyline) seven (7) days to prepare their response. He stated that they were prepared to go forward on certain things tonight but they are not prepared to respond to a number of allegations, complaints, characterizations, inaccuracies and innuendos that are contained in the various and supporting documents. He stated that it would not take them more than an hour to put on their presentation.

Commissioner Siggins then stated that there were other speakers yet to be heard on this issue and he then called for a 5 minute recess after which the following persons made their presentations:

Mr. Alexander Anolik, Attorney representing S.F. Hosts.

He stated that he was not in opposition to Mr. Gilmartin being granted permits but he was merely speaking for his client, S. F. Hosts, who would also like to get permits.

Mr. Michael D. Parrish, President, Local 265, Chauffeur's Union, representing Greyline drivers.

He stated that he was opposed to the issuance of more sightseeing permits for at the present time, because of the competition, there is not enough business to keep the people already in the industry steadily employed.

Mr. J. Allen, representing the Independent Cab Companies in the City stated that they were opposed to the issuance of new sightseeing permits or any other transportation permits. He stated that the Commission did not know how many forms of transportation there were in the City having been approved by the PUC. He stated that all of these things are happening and are taking away business from the cab industry.

Mr. Ron Davis, Mini Tours and Charter Company.

Mr. Davis spoke on his own behalf requesting he be considered to be an applicant for Per Capita Sightseeing Permits in San Francisco.

Commissioner Siggins then returned to Mr. Stent,

Attorney for Greyline, who once again requested time to respond to the presentation made by Mr. David Gil-martin. Further discussion was held which centered around jurisdiction of the PUC and the Police Commission in the issuance of Sightseeing Permits.

Commissioner Ciani then asked Officer Michael Seybold, Attorney assigned to the Legal Office, to confer with the City Attorney in regards to the Commission's position as to past and present procedures in the issuance of Public Convenience and Necessity Certificates for the operation of Vehicles for Hire.

The hearing on the application for new Certificates of Public Convenience and Necessity (Sightseeing Permits) was continued to Wednesday, May 11, 1977.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

171 LISBON STREET - MONROE SCHOOL

- a) At 171 Lisbon Street, install a 145' white zone, north from end of south wall.

301-399 EXCELSIOR AVENUE - MONROE SCHOOL

- a) At 301-399 Excelsior Avenue, revoke existing 170' white zone - (6' - 176' west of Madrid.)

30 WAVERLY PLACE - CHINESE CHRISTIAN MISSION S.F. CENTER

- a) At 30 Waverly Place - install a 22' green zone, to extend north of south property line.

2398 PINE STREET - THE ANCHORAGE

- a) At 2398 Pine Street, install a 22' green zone, from 12' - 34' east of west building line.

344 ELLIS STREET -DOWNTOWN APARTMENTS

- a) At 344 Ellis Street - install a 22' white zone, to extend east from west property line also remove meter ELLIS-320.

1945-1955 FRANKLIN STREET - LEVY APARTMENTS

- a) At 1945-1955 Franklin Street, install a 42' white zone, to extend from 18' - 60' south of north building line.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 170 feet of white zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 191-77

CAROLE WOOLFORD

RESOLVED, that the recommendtion of the City Attorney for settlement of the claim of Carole Woolford against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 30, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following members of the Police Department:

- a) Sergeant David P. Roche, Legal Office, for service, effective April 13, 1977.

- b) Police Officer Michael B. Kelleher,
Richmond Police Station, for industrial
disability, effective March 16, 1977.

The communications were ordered filed.

RESOLUTION NO. 193-77

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING
ON CHARGES - APPROVED

WHEREAS, Inspector Ronald G. Limneos,
Juvenile Bureau, was suspended without pay ef-
fective at 1600 hours, Tuesday, November 30, 1976,
pending hearing of charges before the Police Com-
mission; and

WHEREAS, Inspector Ronald G. Limneos
has requested a Leave of Absence Without Pay pend-
ing hearing of charges before the Police Commis-
sion; therefore be it

RESOLVED, that Inspector Ronald G. Lim-
neos, Juvenile Bureau, be placed on an extended
Leave of Absence Without Pay at his request for
a period of ninety (90) days commencing April 17,
1977, until his hearing is held before the Police
Commssion.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 194-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL
OF TRAVEL EXPENSES INCURRED BY CAPTAIN JAMES P.
SHANNON, PERSONNEL AND TRAINING, AND POLICE OFFICER
JEROME DEFILIPPO, LEGAL OFFICE, AT A CONFERENCE ON
VALIDATION OF LAW ENFORCEMENT SELECTION STANDARDS
IN LOS ANGELES, CALIFORNIA, ON APRIL 13, 1977.

WHEREAS, on the recommendation of the
Chief of Police, Captain James P. Shannon, Personnel
and Training, and Police Office Jerome DeFilippo,
Legal Office, received permission from the Police
Commission to attend a Conference on Validation of
Law Enforcement Selection Standards in Los Angeles,
California; and

WHEREAS, Captain James P. Shannon and
Police Officer Jerome DeFilippo, did travel to Los
Angeles, California, on April 13, 1977; therefore
be it

RESOLVED, that expenses in the amount of
\$89.00 incurred by Captain James P. Shannon and

\$56.00 incurred by Police Officer Jerome DeFilippo, while attending this conference will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 195-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$92,892.00 from any legally available funds, and credit it to the following appropriations in the amounts indicated:

Appropriation No. 6.161.200.000	
Contractual Services	\$50,392.00
Appropriation No. 6.161.300.000	
Materials & Supplies	\$42,500.00

for telephone and fuel for remainder of year.

AYES: Commissioners Hall, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Gallegos

RESOLUTION NO. 196-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$26,000.00 from any legally available funds, and credit it to the following appropriation in the amount indicated:

Appropriation No. 6.161.900.000	
Services of other Departments	\$26,000.00

to provide additional funds for Police Information Network.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, April 19, 1977 at 2400 hours as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	89	95
Daily average for the week disabled	<u>95</u>	<u>88</u>
TOTALS	184	183

This is an increase of one (1) member off duty daily from the previous week.

Daily percentage for the week sick	4.17
Daily percentage for the week disabled	<u>5.75</u>
TOTAL	9.92

Disabled at start of week	87
Started during the week	18
Returned during the week	13
Disabled at end of the week	92
NET GAIN OR LOSS	+5

SICK AND DISABLED FOR WEEK ENDING SATURDAY, APRIL 17, 1976 at 2400 HOURS:

Daily average for the week sick	36
Daily average for the week disabled	<u>128</u>
TOTAL	163
Daily percentage for the week sick	1.91
Daily percentage for the week disabled	<u>7.22</u>
TOTAL	9.13

SICK AND DISABLED FOR WEEK ENDING TUESDAY, MARCH 29, 1977 AT 2400 HOURS:

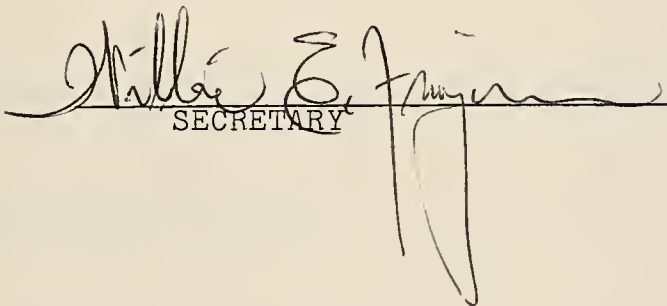
Daily average for the week sick	83
Daily average for the week disabled	<u>80</u>
TOTAL	163

Daily percentage for the week sick	3.75
Daily percentage for the week disabled	<u>4.84</u>
TOTAL	8.59

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

The Commission then adjourned its meeting.



SECRETARY

JUN 9 1977

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4 MAY 1977

REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, May 4, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Hall, Murphy, Siggins

ABSENT: Commissioners Ciani, Gallegos

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of March 30, 1977, and the Commissioners not having sufficient time to peruse, approval of same was continued for one week.

AYES: Commissioners Hall, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Gallegos

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain stated that he had no report for the Commission tonight.

RESOLUTION NO. 203-77

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
(JITNEY BUS PERMIT) - HEARING TO REVOKE - CONTINUED
OFF CALENDAR FOR SIXTY (60) DAYS.

WHEREAS, there was granted to Mr. Reyes Almonte on December 23, 1963, a permit and/or license for the operation of one (1) jitney bus; and

WHEREAS, pursuant to an investigation conducted by the Vehicle Inspection Detail of the San Francisco Police Department, the Chief of Police was advised that Reyes Almonte was not operating his jitney bus and had not so operated said vehicle for a period in excess of ten (10) consecutive days and was, therefore, in violation of the provisions of Section 1079 of the Police Code; and

WHEREAS, Reyes Almonte appeared before the Police Commission on Wednesday, May 4, 1977,

and requested that he be allowed an extension of sixty (60) days to locate a buyer for his jitney bus permit; and

WHEREAS, the Police Commission feels that an extension of sixty (60) days would be sufficient time to allow Mr. Almonte to locate a buyer for his jitney bus permit; therefore be it

RESOLVED, that the request of Mr. Almonte for an extension of sixty (60) days to locate a buyer for his jitney bus permit, be, and the same is hereby approved.

AYES: Commissioners Hall, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Gallegos

HEARING TO DETERMINE WHETHER OR NOT THE JITNEY BUS PERMIT ISSUED TO MR. INOCENCIO P. BENDO SHOULD BE REVOKED AS RECORDS INDICATE THAT HE HAS FAILED TO COMPLY WITH PROVISIONS OF SECTION 1094 OF THE MUNICIPAL POLICE CODE, PERTAINING TO YEARLY TAXES TO BE PAID TO THE CITY AND COUNTY OF SAN FRANCISCO. - HELD OVER ONE (1) WEEK. _____

AYES: Commissioners Hall, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Gallegos

HEARING TO DETERMINE WHETHER OR NOT THE JITNEY BUS PERMIT ISSUED TO MR. ASKOR K. SHANKOR SHOULD BE REVOKED AS RECORDS INDICATE THAT HE HAS FAILED TO COMPLY WITH PROVISIONS OF SECTION 1094 OF THE MUNICIPAL POLICE CODE, PERTAINING TO YEARLY TAXES TO BE PAID TO THE CITY AND COUNTY OF SAN FRANCISCO, AND ALSO THAT HIS JITNEY BUS PERMIT IS NOT BEING OPERATED IN COMPLIANCE WITH SECTION 1079 OF THE MUNICIPAL CODE (CONTINUED OPERATION REVOCATION PROVIDED FOR.) - HELD OVER ONE (1) WEEK. _____

AYES: Commissioners Hall, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Gallegos

GENEVA TERRACE ASSOCIATION

Several persons in the audience from the Geneva Terrace neighborhood stated that they were hoping that the minutes of the previous Commission meeting would include a letter from Lieutenant Jordan

reporting on their situation and request for assistance.

Commissioner Siggins stated that he had spoken to a Mr. Yost from the Geneva Terrace neighborhood today and that he had also told him that he would be talking to Chief Taylor about a meeting which Chief Taylor would arrange with their (Mr. Yost's) group.

One of the members of the Geneva Terrace then asked if the report from Lieutenant Jordan was submitted at the last Commission meeting. Commissioner Siggins stated that the report had not as yet been studied by the Commission and if it meets the anatomy for the Commission then it would be discussed. The Geneva Terrace spokesman then stated that the only reason they wanted it included in the minutes is because they had been trying to check into what was happening to that particular grant, the police service aide proposal, which was submitted by the San Francisco Police Department to the Mayor's Office and is now up in Sacramento. He stated that they had called Sacramento and are having trouble in trying to locate the grant. He continued by saying that the Commission can now see why they wanted documentation in the minutes of the visit.

Chief Mullen stated that the grant was an offer of funds by the Governor made to city officials. Various Criminal Justice Agencies under the auspices of the Mayor got together and a packet was put together to present to the Governor's Office. He stated that our part of the Packet was a request to fund 146 police service aides. The last information from the Mayor's Office was that the package had been put together and sent to the Governor's Office from the Mayor's Office. He stated that he did not know what has now happened to it.

Chief Gain stated that the problem is that it is not a Grant for the proposal that was submitted and is probably why it couldn't be found. He continued by saying that what this whole thing is about is when Governor Brown came here for his famous Pink Palace visit, the next day some Criminal Justice people got together and it was identified on a state level that they had some Title II funds. Following that the City put a package together, the Mayor formed a Task Force and as the result of that Task Force effort the document including the Police Department's idea for para-professionals was submitted to the Mayor's Office. He then stated, so it was not a Grant Proposal, it was a request for funding of various city-type programs and that is why if you look under Grant you will not find it. He stated that the Department has a copy of that document so we will be able to find out where it is.

Commissioner Siggins stated that what had happened

in this matter is that he and Commissioner Ciani went with Lieutenant Jordan to Geneva Terrace and told them that they would have Lieutenant Jordan write up a report and notify them as to when they could meet with Department Officials and then possibly with the Mayor within three weeks. He continued by saying that Lieutenant Jordan didn't get the report out that soon but he did give the Commission a fine report and the Geneva Terrace people have now requested to meet with Chief Taylor.

The members of the Geneva Terrace Neighborhood Association was then advised that Captain Taylor would meet with them in an effort to bring about their request for assignation of para-professional police services for their neighborhood.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1520 TAYLOR STREET - COLDWELL BANKER PROPERTY MANAGEMENT

- a) At 1520 Taylor Street, install a 22' white zone, to extend from 18' - 40' north of south property line.

1234 MCALLISTER STREET - EL BETHEL ARMS, INC.

- a) At 1234 McAllister Street, install a 22' white zone, to extend from 54' - 76' west of driveway.

1355 GOLDEN GATE AVENUE - EL BETHEL ARMS, INC.

- a) At 1355 Golden Gate Avenue, install a 22' white zone, to extend from 54' - 76' west of east property line.

1025 FILLMORE STREET - EL BETHEL ARMS, INC.

- a) At 1025 Fillmore Street, install a 22' white zone, to extend from 59' - 81' south of north property line.

712 SUTTER STREET - HOTEL CANTERBURY

- a) At 712 Sutter Street, install a 42' white zone, to extend west from east building

line.--Also remove parking meters #710 and 712.

90 SHERMAN STREET - CARDINAL CO.

- a) At 90 Sherman Street, install a 60' yellow zone, to extend from 43' - 103' north of south property line.

AYES: Commissioners Hall, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Gallegos

RESOLUTION NO. 202-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY INSPECTOR ROBERT L. STONE, BUREAU OF INSPECTORS, AT AN ARSON INVESTIGATORS' WORKSHOP AT COLUMBIA JR. COLLEGE, SONORA, CALIFORNIA, FROM APRIL 20, 1977 TO APRIL 23, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police that Inspector Robert L. Stone, Bureau of Inspectors, received permission from the Police Commission to attend and Arson Investigators' Workshop at Sonora, California; and

WHEREAS, Inspector Robert L. Stone did travel to Sonora, California, from April 20, 1977 to April 23, 1977, inclusive; therefore be it

RESOLVED, that expenses in the amount of \$140.00 incurred by Inspector Robert L. Stone while attending this workshop will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Hall, Murphy, Siggins

NOT VOTING: Commissioners Ciani, Gallegos

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, April 26, 1977 at 2400 hours, as follows:

PREVIOUS WEEK

Daily average for the week
sick

95

89

Daily average for the week disabled	<u>92</u>	<u>95</u>
TOTALS	187	184

This is an increase of three (3) members off duty daily from the previous week.

Daily percentage for the week sick	4.56
Daily percentage for the week disabled	<u>5.58</u>
TOTAL	10.14

Disabled at start of week	97
Started during the week	12
Returned during the week	19
Disabled at end of the week	90
Net Gain or Loss	-7

SICK AND DISABLED FOR WEEK ENDING SATURDAY,
APRIL 24, 1976 AT 2400 HOURS:

Daily average for the week sick	37
Daily average for the week disabled	<u>119</u>
TOTAL	156
Daily percentage for the week sick	1.99
Daily percentage for the week disabled	<u>6.82</u>
TOTAL	8.81

SICK AND DISABLED FOR WEEK ENDING TUESDAY,
APRIL 5, 1977 AT 2400 HOURS:


Daily average for the week sick	88
Daily average for the week disabled	<u>88</u>
TOTAL	176
Daily percentage for the week sick	4.03
Daily percentage for the week disabled	<u>5.33</u>
TOTAL	9.36

The report was ordered filed.

AYES: Commissioners Hall, Muprhy, Siggins

NOT VOTING: Commissioners Ciani, Gallegos

The Commission then adjourned its meeting in memory of Patrol Special Officer Joseph Boswell who was killed in the line of duty on Tuesday, May 3, 1977.


SECRETARY

11 MAY 1977

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, May 11, 1977 at 1630 hours in Special Session; and at 1730 hours in Regular Session.

DOCUMENTS

JUN 15 1977

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PRESENT: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

Commissioner Siggins presiding.

MEET AND CONFER WITH THE SAN FRANCISCO POLICE OFFICERS'
ASSOCIATION REGARDING THE SAN FRANCISCO POLICE OFFICERS'
MEMORANDUM OF UNDERSTANDING.

Members of the Police Officers Association appeared for the meet and confer session at 1630 hours. They were then asked to wait momentarily as the Commissioners were having a brief caucus. They agreed to wait. At 1700 hours they notified the Commissioners, by messenger, that they were leaving. An attempt was made to get them to return and follow through with the meeting but they refused. Subsequently, comments regarding the San Francisco Police Officers' Association's action were made by President Richard J. Siggins during today's regular scheduled Police Commission Meeting.

REGULAR MEETING

PRESENTATION OF CERTIFICATES AND MEDALS OF VALOR

Commissioner Siggins stated that the Commission as stated before has termed this as the "Happy Hour" as far as Commission members are concerned and he then turned the matter over to Commissioner Ciani who was Chairperson at the last Awards Meeting.

Commissioner Ciani: "It was my pleasure to Chair the last meeting and some of you may have heard the same speech before. We always say that the high point of being a Commissioner is to preside at one of these meetings and to hear one after another the descriptions of extraordinary acts of bravery by members of the Department. I am glad to see so many members of the families here because you should be aware of how strict the process is by which these awards are given. I will describe that for those of you who don't know how it happens. The story of the act of bravery is read before the Awards Committee. The officers involved are present to answer

questions tendered by the Captains or the Commissioner after which there is a discussion in private among the Captains and then a vote. During this process I have seen that the very high standards of distinguishing between ordinary police work and extraordinary acts which are entitled to recognition for meritorious awards are strictly maintained by the Captains who have been around a long time and who are pretty hard to impress and this is to the greater credit of the people who receive these awards as it is a truly great honor to be recognized by the superiors in the Department who have years and years of experience. We will call up first the Gold Medal winners and award those medals and then we will take the Silver and the Bronze separately since we have so many this time. We have three Gold Medal winners which I think is the most we have had in any one session, eight Silver and sixteen Bronze.

Police Officer Thomas E. Perdue.....	Gold Medal of Valor
Police Officer Joseph Arsanis.....	Gold Medal of Valor
Police Officer William H. Wohler.....	Gold Medal of Valor
Police Officer Brian M. D'Arcy.....	Silver Medal of Valor
Police Officer Thomas M. Heffernan.....	Silver Medal of Valor
Police Officer Jeremiah W. Morgan.....	Silver Medal of Valor
Police Officer Michael V. Rolovich.....	Silver Medal of Valor
Police Officer Richard H. VanWinkle.....	Silver Medal of Valor
Police Officer Ronald E. Stansbury.....	Silver Star
Sergeant Edward R. Fowlie.....	Bronze Medal of Valor
Police Officer Charles E. Brewster III..	Bronze Star
Police Officer Michael J. Morello.....	Bronze Medal of Valor
Police Officer Robert C. Mulry.....	Bronze Medal of Valor
Police Officer James M. Petrie.....	Bronze Medal of Valor
Police Officer Reno L. Rapagnani.....	Bronze Medal of Valor
Police Officer Patricia Beauchamp.....	Bronze Medal of Valor

The above list consists only of those members who appeared for Presentations.

The members of the Commission, having been furnished copies of the minutes of the meeting of March 30, 1977 and April 6, 1977, reading of

same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain delivered to the Commissioners a written report to the Commission current statistics on the City's crime experience to date as compared to last year. He stated that when April of last year is compared to April of this year there is a reduction of 11% in serious crimes which include murder, forcible rape, aggravated assault and so on. He continued by saying when we compare the 1st four months of this year, January through April, to last year, we have a 2.7% decrease in the overall serious crime categories. He stated that the principal factor in the reduction for year to date compared to last year is the number of burglaries and robberies. He stated that the reduction in robberies and some other crimes is attributable basically to the patrol force. He continued by saying the Street Crime Unit, for example, continues to be very successful in arrest for Grand Theft and that category for arrest is very high. He stated, "so we are at this point in time, when it comes to serious crimes have not only reached a leveling off but a slight decrease and hopefully we can experience that in the future. Paradoxically, I would like to comment that consequent to the implementation of the Citizens Safety Project now that it is going city wide, what should be occurring as citizens are becoming more aware and involved is more crime should be reported as we go through this year and next year. So we could have then a paper increase in crime. That program is being very successful in implementation and never the less though we do have a decrease in reported crime at this point it is a tribute to the personnel in the Department particularly to the patrol personnel."

Commissioner Siggins: "Our calendar tonight called for a meet and confer session with the San Francisco Police Officers' Association regarding a Memorandum of Understanding which may have been entered into between ourselves and the S.F.P.O.A. We have had prior meetings and on Monday night we suggested that because of some calendar problems we would try to meet with them at 4:30 p.m., today I was tied up on the Freeway, I got here about 4:45 p.m., I think and some matters had been carried over from Monday night and were the subject of a caucus between us and when time came for us to meet with the S.F.P.O.A., they were gone."

Commissioner Ciani: "May I say that they knew we had scheduled a caucus before the meeting."

Commissioner Murphy: "Also, they were gone promptly at 5:00 p.m."

Commissioner Siggins: "But at any rate the MOU that we have now expires next week and we are offering to meet with them on Saturday, May 14, 1977, at 10:00 a.m. We don't want to be here and have them turn around and walk out. Each of the Commissioners by the makeup of the Commission have personal obligations and duties to perform. We met with them on Monday night, we agreed to meet with them earlier today and we also want it known that we agree to meet with them on Saturday which would be three meetings this week which involves the Commission itself and aside from the personal meetings and other things that have to be done by the Commissioners. So I can say this about the POA and the meetings, I don't think they are acting in good faith as the State Law requires. By the prior MOU, I mentioned the fact that we are lay people coming in to work with the POA in meeting and confering. By the past MOU, officers who are on duty get time off is that correct Chief Mullen? So they get time off. For them to walk off stating that there was some kind of delay of their time would be improper and incorrect and I anticipate that they will be probably having some kind of press conference now."

RESOLUTION NO. 210-77

POLICE COMMISSION DECISION ON MOTION BY MR. STEPHEN BRUCE BLEY, ATTORNEY FOR POLICE OFFICERS CRAIG PIRO AND ROBERT RODRIGUEZ, BUREAU OF SPECIAL SERVICES, TO RETURN THEM TO DUTY - DENIED.

WHEREAS, Mr. Stephen Bruce Bley, attorney for Police Officers Craig Piro and Robert Rodriguez, Bureau of Special Services, stated that criminal charges were pending against his clients, and that he felt it would be impossible for him to defend them while those charges were pending; and

WHEREAS, both officers are currently suspended from duty, and he is respectfully requesting they be placed back on duty for the following reasons:

- 1) That they are performing police duties now because they are being continuously subpoenaed to testify in Court, and are not being paid for it.
- 2) There is a pay check which they have earned prior to suspension that has not been released.

- 3) He could not see where the public would be injured insofar as their being restored to duty; and

WHEREAS, Chief Gain responded by stating that for grave matters such as those in which the officers were suspended, the usual procedure is suspension pending a hearing before the Police Commission; and

WHEREAS, Chief Gain continued by stating that the Department does have evidence to pursue those hearings, and that if Mr. Bley wanted a hearing on the matter the Department was ready to proceed; and

WHEREAS, Commissioner Siggins stated that the Commission needed time to consider Mr. Bley's motion for restoration of his clients to duty; and

WHEREAS, the matter was continued for two weeks at which time Mr. Bley's motion was discussed at the Police Commission meeting of May 11, 1977; and

WHEREAS, Commissioner Siggins stated that it was the Commission's feeling that the matter was of grave importance, and that similar matters involving police officers who have allegedly committed crimes such as murder, robbery, etc., would also be entitled to remain in a working capacity if these officers were given the opportunity to do so; therefore be it

RESOLVED, that it is the decision of the Police Commission that in deference to setting a dangerous precedent, Mr. Bley's motion to return Police Officers Piro and Rodriguez to duty be, and the same is hereby denied.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

HEARING TO DETERMINE WHETHER OR NOT THE JITNEY BUS PERMIT ISSUED TO MR. INOCENCIO P. BENDO SHOULD BE REVOKED AS RECORDS INDICATE THAT HE HAS FAILED TO COMPLY WITH PROVISIONS OF SECTION 1094 OF THE MUNICIPAL POLICE CODE, PERTAINING TO YEARLY TAXES TO BE PAID TO THE CITY AND COUNTY OF SAN FRANCISCO. -
CONTINUED TO JUNE 1, 1977.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

HEARING TO DETERMINE WHETHER OR NOT THE JITNEY BUS

PERMIT ISSUED TO MR. ASKOR K. SHANKAR SHOULD BE REVOKED AS RECORDS INDICATE THAT HE HAS FAILED TO COMPLY WITH PROVISIONS OF SECTION 1094 OF THE MUNICIPAL POLICE CODE PERTAINING TO YEARLY TAXES TO BE PAID TO CITY AND COUNTY OF SAN FRANCISCO, AND ALSO THAT HIS JITNEY BUS PERMIT IS NOT BEING OPERATED IN COMPLIANCE WITH SECTION 1079 OF THE MUNICIPAL POLICE CODE (CONTINUOUS OPERATION REVOCATION PROVIDED FOR.) - CONTINUED TO JUNE 1, 1977.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

PUBLIC HEARING TO DETERMINE IF PUBLIC CONVENIENCE AND NECESSITY EXISTS FOR THE ISSUANCE OF FIFTEEN (15) SIGHTSEEING BUS PERMITS. APPLICANT: DAVID F. GILMARTIN. - CONTINUED FROM MEETING OF APRIL 27, 1977.

The matter of the hearing on application for new certificates of Public Convenience and Necessity for the operation of 15 Sightseeing Bus permits was called, it having been continued from the meeting of April 27, 1977.

Mr. Craig McAtee, representing the Gray Line Inc., in their opposition to the issuance of new Sightseeing Bus permits to David F. Gilmartin, called the following-named witnesses:

Mr. Robert F. Begley, General Manager, Towne House Hotel, 8th and Market.

Mr. Philip R. Creamer, Manager, Raphael Hotel, Geary and Mason.

Mr. Joseph Akkawi, Operator of Tour Desk at the Sheraton, Wharf and Holiday Inn on Van Ness Avenue.

Mr. Ralph Seligman, Operator of Night Club Tour for Holiday Tours, 340 Mason Street.

Mr. James Mulpeters, President, Gray Line, Inc.

The hearing on application for new certificates of Public Convenience and Necessity for the operation of 15 Sightseeing Bus permits was continued to Wednesday, May 25, 1977, at 5:30 p.m., in Room 551, Hall of Justice.

(The proceedings of the Hearing for this date was taken in shorthand form by Lorna Hoshyama; C.S.R. Proceedings of Hearing prior to and including this date were recorded on cassette tape.)

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

110 - FIFTH STREET - SAN FRANCISCO NEWSPAPER PRINTING
COMPANY

- a) At 110 - Fifth Street - revoke 35' yellow zone and install red zone - 35' from 5' - 40' north of Natoma Street.

1746 POST STREET - HOKUBEI MAINICHI

- a) At 1746 Post Street, install a 41' yellow zone, to extend from 5' - 46' west of east property line.

178 VALENCIA STREET - M & P YOGURT CO.

- a) At 178 Valencia Street, install a 24' yellow zone, to extend north from south property line - Also remove parking meter VAL-152.

1239 STOCKTON STREET - CHINATOWN MEDICAL LAB.

- a) At 1239 Stockton Street - revoke existing 22' yellow zone, and replace with 22' white zone - to extend south from north property line.

1031 KEARNY STREET - CHINATOWN CHILD DEVELOPMENT
CENTER

- a) At 1031 Kearny Street, install a 44' white zone, to extend south from north building line - (revoke 44' from bus zone - O.K. by Muni.)

550 BEALE STREET - U.S. POST OFFICE

- a) At 550 Beale Street, revoke 75' green zone (south of north building line.)

399 MAIN STREET - MARINE CORPS FREIGHT OFFICE

- a) At 399 Main Street, revoke existing 40' yellow zone.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 216 feet of yellow, red and green zones, at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 204-77

BRENDA LEE DAVIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brenda Lee Davis against the City and County of San Francisco in the sum of \$35.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 15, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 205-77

MENES OSORIO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Menes Osorio against the City and County of San Francisco in the sum of \$232.17 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 20, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 206-77

ROBERT B. JOHNSON AND HIS ATTORNEY ALAN KAUFMAN

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Robert

B. Johnson in the sum of \$250.00 in United States District Court Action No. C-74-2437 WWS entitled, "Robert B. Johnson, et al., v. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 8, 1974

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 207-77

DANIEL E. KENNA AND HIS ATTORNEY
HAROLD SILEN

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Daniel E. Kenna in the sum of \$370.00 in Municipal Court Action No. 735-369 entitled "Daniel E. Kenna v. City and County of San Francisco, etc., et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 15, 1976

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RETIREMENT

A communication was received from the Retirement Board officially notifying the Police Commission of the retirement of Police Officer Daniel P. Lynch, Northern Police Station, for industrial disability, effective April 21, 1977.

The communication was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 208-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPORVAL
OF TRAVEL EXPENSES INCURRED BY POLICE OFFICERS MICHAEL
CONWAY, CRIME SPECIFIC TASK FORCE AND JEREMIAH W.

MORGAN, MISSION POLICE STATION, AT AN EXPLOSIVE ORDINANCE DISPOSAL TRAINING SCHOOL AT THE REDSTONE ARSENAL, HUNTSVILLE, ALABAMA, FROM APRIL 3, 1977 TO APRIL 22, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Police Officers Michael Conway and Jeremiah W. Morgan received permission from the Police Commission to attend an Explosive Ordinance Disposal Training School at the Redstone Arsenal, Huntsville, Alabama; and

WHEREAS, Police Officers Michael Conway and Jeremiah W. Morgan did travel to Huntsville, Alabama to attend the Training School from April 3, 1977 to April 22, 1977, inclusive; therefore be it

RESOLVED, that expenses in the amount of \$33.55 incurred by Police Officer Michael Conway and \$33.50 incurred by Police Officer Jeremiah W. Morgan while attending this training school will be defrayed by the Police Department's Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 209-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY POLICE OFFICERS THOMAS ARNOLD AND STEVEN SILVERS, CRIME SPECIFIC TASK FORCE, AT A BOMB TECHNOLOGY TRAINING COURSE AT LIVERMORE, CALIFORNIA, FROM APRIL 21, 1977 TO APRIL 23, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Police Officers Thomas Arnold and Steven Silvers, Crime Specific Task Force, received permission from the Police Commission to attend a Bomb Technology Training Course at Livermore, California; and

WHEREAS, Police Officers Thomas Arnold and Steven Silvers did travel to Livermore, California, to attend this training course from April 21, 1977 to April 23, 1977, inclusive; therefore be it

RESOLVED, that expenses in the amount of \$117.50 each incurred by Police Officers Thomas Arnold and Steven Silvers while attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, May 3, 1977 at 2400 hours:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	94	95
Daily average for the week disabled	<u>92</u>	<u>92</u>
TOTALS	186	187

This is a decrease of one (1) member off duty daily from the previous week.

Daily percentage for the week sick	4.38
Daily percentage for the week disabled	<u>5.52</u>
TOTAL	9.90

Disabled at start of week	90
Started during week	19
Returned during week	15
Disabled at end of week	94
Net Gain or Loss	+4

SICK AND DISABLED FOR WEEK ENDING SATURDAY, MAY 1, 1976 AT 2400 HOURS:

Daily average for the week sick	123
Daily average for the week disabled	<u>48</u>
TOTAL	171

Daily percentage for the week sick	7.02
Daily percentage for the week disabled	<u>2.64</u>
TOTAL	9.66

SICK AND DISABLED FOR WEEK ENDING TUESDAY, APRIL 12, 1977 AT 2400 HOURS:

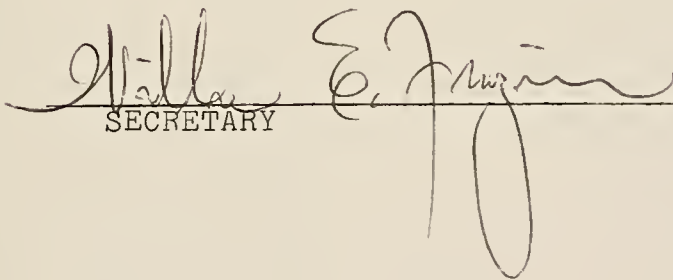
Daily average for the week sick	95
Daily average for the week disabled	<u>88</u>
TOTAL	183

Daily percentage for the week sick	5.33
Daily percentage for the week disabled	<u>4.57</u>
TOTAL	9.90

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

The Commission then adjourned its meeting.



SECRETARY

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18 MAY 1977

REGULAR MEETING

Minutes

The ~~Police~~ Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, May 18, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Gallegos, Murphy,
Siggins

ABSENT: Commissioner Hall

Commissioner Siggins presiding.

DOCUMENTS

JUN 1

SAN FRANCISCO
PUBLIC LIBRARY

The members of the Commission, having been furnished copies of the minutes of the meeting of April 13, 1977 and April 20, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, Members of the Commission, Lieutenant Frank Jordan is here tonight and with your permission the report will consist of a brief status report from Lieutenant Jordan who is the co-project director of the Citizens Safety Project SAFE Program. He has submitted his quarterly report copies of which will be made available to the Commission. I would like to review briefly where we are in this program. It has been quite sometime since the Commission was given a status report of accomplishments in that program and there have been some very good accomplishments."

Lieutenant Frank Jordan: "Thank you, Chief. Mr. President, Members of the Commission, as you know we are in the eighth month now at the present time of our Citizens Safety Project which has been renamed S.A.F.E., meaning safety word is for everyone. The first eight months for zeroing in on the downtown area, the Central, Southern, Northern, Mission and Southeast Stations, as we went for about four (4) months all of a sudden we began to get into Title II Federal Funding to cover our City Wide Project which now makes SAFE a nine district wide, City Wide Project and thus for the benefit of the audience, that safety project is citizens awareness and citizen motivation. We want to join together with the police department and the Criminal Justice System to allow us together to try to make inroads in crime reduction and try to do things that are hard and fast within our project to prevent crime. All nine districts now are functioning with

our project SAFE. Neighborhood offices are located in seven of the nine at the present time. We did have one delay with the Civil Service Commission over Hiring Practices, that dealing mainly with reclassification positions that did not veer in just strictly on our particular jobs the Neighborhood Coordinators, it was a city-wide classification and that has just in the last two weeks been cleared so we are now able to hire our last, ninth neighborhood coordinator for the Mission District. We have already had a law enforcement assistance evaluation team come in and look over what we are attempting to accomplish and have gone out to neighborhood offices, they have talked to district police stations they have talked to community representatives, to individual police officers and some of our administrative staff and they will be evaluating what we are doing, how we are going about it and the preliminary report we have now is that we feel that we are somewhat ahead of schedule on some of the projects that we have set for ourselves as a goal. We have already in-service training for 36 different police officers at the present time and we are finding that that is not enough to cover all of the request for community meetings that are taking place. As these neighborhood coordinators are out canvassing the different districts we are finding that more and more individual citizens are asking for neighborhood block club meetings so we are now developing a third in-service training session which would mean three more days of 24 hours of in-service training crime prevention for district patrol officers. We have also felt that not all of the uniform force has had an opportunity to really see in depth of what we are intending to do with citizens involvement so we are planning at the present time with the Chief's permission, to bring out the neighborhood coordinators of each of the nine district stations, who will personally have them talk to the Roll Call Watch as they fall in each of the three Watches around the clock so that they will have an opportunity to meet the Neighborhood Coordinators and to get a chance to informally discuss what they are attempting to do and get some feedback from the officers and we can get a better understanding of what we are both attempting to do. J. Walter Thompson, the public advertising agency who has been very gracious to help us in this project has already distributed some of the print and some of the literature for us and evaluated and come up with some modification on the kinds of flyers and leaflets that we have now available throughout the city. Some of them you have already in your file and they are dealing basically with such things as how you organize neighborhood block clubs. It makes the citizen feel a little more relieved to not to have to take the responsibility of what do I have to do to organize a block club. It tells you right there of how that first initial meeting can take place and what is to be expected. The second one is more for the block captain who would be set up from that first meeting, it gives the first, second and third phases of the program and how we can implement it step by step. It also shows one flyer here which makes it easier for the neighborhood coordinator, except for having to write a letter to each of the block people in the area, he or she can just put down their name and their location the time of the meeting, the place of the meeting and just slip it underneath the door of the various homes and the various locations where the meetings might take place. It simplifies the process so that people don't feel that they have to take too much time to try to put a letter in writing and motivate someone to go to a meeting it will all be done for the citizen. One thing here that

you will be seeing very shortly coming out in all of the PG&E, Telephone and Water Bills is 700,000 stuffers, this is again to just notify the public that SAFE is here in San Francisco and we are asking for their involvement. This should be coming out in the next three or four months. Some times the billing does not go all at once maybe June and July you get the entire billing from PG&E so within the next three or four months we could have 700,000 of these stuffers all over the city. The most recent flyer that came out was Safety on the Street for Senior Citizens. And we have two more that are being developed at the present time and should be out within ten days. One is a 16 page bulletin and booklet, just dealing with burglaries of residences all of the different things that citizens can do to reduce opportunities of possible targets. A second thing that is also being developed at the same time is another lengthy book, 14 pages long, dealing with commercial establishments. It contains the anti-burglary and robbery prevention type techniques that we would like to implement for the merchants all over the city. J. Walter Thompson also at the present time has created a meeting which would be on next Tuesday, the exact date is on May 27th, and we are cordially inviting the Commission members to attend that meeting if at all possible. The News Media will be there and that's when we will be going through 10 and 30 second film clips and some radio spot announcements that have been developed by our teams and by the News Media through J. Walter Thompson. We are going to show them there and have a public release at that time and then we will have them for public distribution and consumption all over the city."

Commissioner Murphy: "What time is that?"

Lieutenant Jordan: "That is at 10 o'clock in the morning, Tuesday, May 24th, and that will give you an opportunity also to see some of the areas of what we are doing with J. Walter Thompson Public Advertising Agency, you will have an opportunity to meet with most of their Staff and you will have an opportunity to discuss exactly how they are going to stay with the program for as long as it's taking place in the city."

Commissioner Murphy: "Where will it be, will we get a notice on it?"

Lieutenant Jordan: "What I will do, I will leave a notice with the Commission Secretary, but it will be right at the Alcoa Building at #1 Maritime Plaza on the fifth floor, so I will leave a copy of all of that information for you with the Commission Secretary. You will find that looking around the neighborhoods in San Francisco we do have many many block clubs functioning. They are extensive in every district at the present time. And we are finding as I say that we don't even have enough officers trained to cover the needs for services and we are doing that by implementing another in-service training session. We are also finding that many of the officers in the patrol force are anxious to become part of this program and they are asking for this in-service training. So we see this as, hopefully, the ultimate result will be to have all uniform patrol

officers in district stations trained in crime prevention work so that they can do it every single day as they go about their duties. So now I would just like to open it up to you if you have some questions of a particular nature that you would like to ask me, the quarterly summary that I have given to you explaining in detail what has been going on in the last three or four months describes both the business community and the neighborhood organizations that we have contacted and I am working with at the present time."

Commissioner Gallegos: "Do you plan to translate any of this into bi-lingual materials?"

Lieutenant Jordan: "Yes, we definitely do. In the Mission District we have our Neighborhood Coordinator working on putting all literature that is coming out that you have before you now in Spanish. We are also working on Spanish films that is the same mixture of English that we are using now throughout the City. The very same thing is taking place in Japan Town in Japanese and in Chinatown in Chinese."

Commissioner Ciani: "I am curious about what the function is of the people who go through the in-service training program. You have 36 officers who have taken three days of training. What is their contribution to the Block Club? Exactly what do they do as compared to what the hired personnel do, the Neighborhood Organizers?"

Lieutenant Jordan: "Well, we do, we have the officers trained 24 hours in depth in the crime prevention techniques, security surveys of the homes, to know exactly how the proper locking of the glass, the doors, the alarms, whatever that might be needed to finish a security survey check will go through the Community motivation and what they will do, the officers themselves, the main thrust for them is when they are not working on an overtime basis through the grant they will attend that meeting and spend possibly two to three hours working at that neighborhood talking to the merchants, talking to the owners of the residences in crime prevention. The civilians, their main function in the original phase has been to canvas the communities to coordinate and drum up business to get the people to come together to those neighborhood meetings."

Commissioner Ciani: "It is also educational as far as it is done by the officers."

Lieutenant Jordan: "It is a combination of both. It is educational, yes, but it is also to give the community an opportunity to talk to them and get an idea of just what the police department is all about and how we function everyday on our job."

Commissioner Ciani: "And they do this on overtime?"

Lieutenant Jordan: "They do this on an overtime basis, right. Occasionally they have this.....we're working more and more now into neighborhood street fairs and some of them are from eight to ten hours in duration. Restoration...home restoration and modeling shows things of this nature, we have found that certain days where you have holidays where there are going to be street fairs or town forums, we set up displays and have officers there with our Neighborhood Coordinators to go through crime prevention techniques for the home aide."

Commissioner Ciani: "Are these officers equally distributed throughout the nine districts?"

Lieutenant Jordan: "Yes, the way we work that in in-service training was to have two from each of the district stations come in. We have nine stations, 18 officers and the second time around we had to do the same thing for an additional 18 officers to make 36. And in the third in-service training we will have another 18 officers two from each of the nine district stations."

Commissioner Ciani: "And do they perform individual security checks if an individual says he wants to have someone advise him about the peculiar problems of his own home?"

Lieutenant Jordan: "No, at this point Commissioner we are not doing it quite that in depth yet because we find that we just don't have the personnel to cover each individual home."

Commissioner Ciani: "You mentioned that they were doing security checks."

Lieutenant Jordan: "Well, how they will do that is that we will set up a neighborhood block club. If some one were to call in and ask for a security check at the home we would then pursue it through our Neighborhood Coordinators to have that individual set up a block club and that would do it for 15 to 20 people in the block and do it once so they can see what's needed in their block rather than have to do each individual home because the personnel just isn't there to do that."

Commissioner Murphy: "Were you the one that spoke to the Pacific Heights Neighborhood Council the other evening at Presbyterian Medical Center?"

Lieutenant Jordan: "Oh, no, one of our officers did."

Commissioner Murphy: "They were very complimentary. I couldn't be there that evening but I talked to some of the members today and they were very complimentary saying they did a marvelous job."

Lieutenant Jordan: "That's encouraging. I feel encouraged too at the amount and volume of calls coming in from the various departments in San Francisco, all stratas and all neighborhoods who are looking for block club meetings."

Commissioner Gallegos: "Is there any one particular kind of assistance that citizens are asking for in crimes against persons or against property or what seems to be their particular.....?"

Lieutenant Jordan: "We have found that each district have peculiar problems to themselves in all different neighborhoods and the one that seems to cross all barriers in crimes seems to be burglaries. That is the one that everybody is concerned about and usually that is an open door policy to help us to get in we start talking first about burglary and then we find out that some areas are having a rash of auto thefts. Others may have a high incidence of purse snatchings, others may have some sort of strong arm robberies, so we try to tie into their particular needs. We won't go in with a set program other than just the guidelines and then we will go into our neighborhood meetings and start to break down what the real problem is that they see and we will work together with our crash statistics and their problem and try to work it out. One thing we do not do, we don't guarantee that we've got the answers to everything. But we do reassure them that we are there to help them and we want them to know that whatever we have available is for their service."

Commissioner Ciani: "I am wondering whether the Block Clubs that they have started really keep going, do you have any follow-up information about how the ones that have been organized for a long time continued? Have they had high attendance and continued to meet regularly?"

Lieutenant Jordan: "That is part of our evaluation process too Commissioner and the way it is working now, is that we are finding usually after the first meeting maybe 20, 22 people show up. the second meeting you may find 40 to 45, so we are asking them not to expand it too strongly because it would not get that personal approach if it gets too big, too unwieldily, so we are finding that the need is there and they are staying with the program."

Commissioner Ciani: "After 3 or 4 meetings do they then feel that they have gotten all that they can from it and does it start to fall apart? I can see that there would be expansion initially but at some point does it start to fall off?"

Lieutenant Jordan: "Well we have not found that point yet but we do encourage the neighbors that the crime problem was the catalyst to get them together and then they should also now that they have seen that they can do something about it, reluctantly, look at other problems in the neighborhood. Possibly the streets need repair, maybe the schools aren't functioning properly

or there may be improper lighting in the area and they stay with that neighborhood group and work on those subjects as well and we just go in without having to run the meeting, we go in with an officer from the district station to give an update on the crime problems and see how they handle that."

Commissioner Gallegos: "I was just looking at the organizations that you are working with, many of these are familiar to me and I can see that you are reaching a great cross section."

Lieutenant Jordan: "We have names, addresses, phone numbers, contacts of all of those people we just put down the affiliations. We contact them ourselves periodically just to update what we are doing so that we can maintain contact."

Commissioner Siggins: "Well, we haven't heard anything bad about the program and we are delighted with the way you have been handling it Lieutenant Jordan and we want to thank you very much for this report. "

Commissioner Gallegos: "Chief, I had a question regarding the Muni-Safety Project, what is the status of that?"

Chief Gain: "We are just waiting now for all the necessary contracts to be signed we are hiring the muni security guards, that's in process, the CETA funded positions. The vehicles are on order, some seven vehicles, so it is all proceeding now it is a matter of hiring and getting some federal money and getting all of that consummated then it will go full bore."

Commissioner Murphy: "And how much training do they receive after we get them hired?"

Chief Gain: "Six to eight weeks."

Commissioner Murphy: "So it will be at least three months before we....."

Chief Gain: "Yes. Of course we do have this ongoing Muni Security Program."

Commissioner Murphy: "About how many do we have on that now?"

Chief Gain: "Well, it is over 50 I have forgotten the exact number, eventually of course it will be 103 CETA Muni Security Officers, I think 6 Police Officers, 2 Sergeants and a Lieutenant. So it is going to be a substantial force when everyone is hired."

Commissioner Gallegos: "When would you expect the program to actually get started, before summer?"

Chief Gain: "Hopefully mid-summer."

Commissioner Gallegos: "It will be a 12 month project?"

Chief Gain: "Yes, of course, we assume CETA funding will be continued and therefore it would be a continuing program."

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named person was called, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right title or interest that the within named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEE</u>	<u>NO. OF PERMITS</u>
Ben Yee 162 Bellevue Avenue Daly City, California	Lau Chi Hang 123-12th Avenue San Francisco, California	1

Route: Mission Street - Ferry to Sickles Avenue

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

REQUEST OF MR. ED JUNG TO DISCUSS WITH THE POLICE COMMISSION SECTION 1165.1 OF THE POLICE CODE. (CONTINUED FROM THE MEETING OF APRIL 6, 1977.)

Former Police Sergeant Dave Roche, now an attorney representing Mr. Edward Jung, stated that what had happened since the last meeting is that Mr. Jung has contacted West Germany, England, Taiwan and Indonesia trying to find somebody that will make a motorized Rickshaw. He continued by saying the far east is out because in the far east a rickshaw now is invariably considered a very degrading thing even when using a motorcycle and they have completely stopped making them. He stated also that England and West

Germany doesn't make them anymore, so, what he and Mr. Jung is asking for tonight is a re-defining of Rickshaw. He then presented a draft of the legislation which amends the appropriate section of the Municipal Police Code and stated that the only changes that has been made in this draft and the previous draft is the definition of Rickshaw. He said what he was asking is that Mr. Jung be allowed to purchase Volkswagen Convertibles because that is what they are actually defining. He stated that Mr. Jung could take the VW designs off and replace them with dragon signs. He said traditionally the Rickshaw has a canvas hood over the back to give it an oriental flavor and there is no danger of this ever becoming a taxi cab because the rate structure is set up by the City Attorney and is entirely different from the rate structure of taxi cabs. He stated that he was asking the Commission to approve the amendment so it can be transmitted to the City Attorney's Office for his approval and then for transmittal to the Board of Supervisors. Further discussion was held on the matter after which the following resolution was adopted:

RESOLUTION NO. 235-77

AMENDING PART II, CHAPTER VIII, SAN FRANCISCO MUNICIPAL CODE BY ADDING THERETO SECTION 1165.1, DEFINING MOTORIZED RICKSHAW: BY ADDING THERETO SECTION 1079.1, THEREOF EXEMPTING MOTORIZED RICKSHAWS FROM CONTINUOUS OPERATION: ADDING THERETO SECTION 1135.2, PROVIDING FOR RATES OF MOTORIZED RICKSHAWS BY ADDING THERETO SECTION 1182 THEREOF PROVIDING FOR REGULATION OF MOTORIZED RICKSHAWS AND ADDING THERETO SECTION 1182.1, PROVIDING FOR A GRANDFATHER CLAUSE.

RESOLVED, that the Board of Supervisors, be, and they are hereby requested to Amend Part II, Chapter VIII, San Francisco Municipal Code by adding thereto Section 1165.1, defining motorized Rickshaws; by adding thereto Section 1079.1, thereof exempting motorized rickshaws from continuous operation; adding thereto Section 1135.2, providing for rates of motorized rickshaws by adding thereto Section 1182 thereof, providing for regulation of motorized rickshaws and adding thereto Section 1182.1, providing for a Grandfather Clause, as follows:

AMENDING PART II, CHAPTER VIII, SAN FRANCISCO MUNICIPAL CODE BY ADDING THERETO SECTION 1165.1, DEFINING MOTORIZED RICKSHAW: BY ADDING THERETO SECTION 1079.1, THEREOF EXEMPTING MOTORIZED RICKSHAWS FROM CONTINUOUS OPERATION; ADDING THERETO SECTION 1135.2, PROVIDING FOR RATES OF MOTORIZED RICKSHAWS BY ADDING THERETO SECTION 1182 THEREOF PROVIDING FOR REGULATION OF MOTORIZED RICKSHAWS AND ADDING THERETO SECTION 1182.1, PROVIDING FOR A GRANDFATHER CLAUSE.

Be it ordained by the People of the City and County of

San Francisco:

Section I, Part II, Chapter VIII, San Francisco Municipal Code (Police Code), is hereby amended by amending Section 1165.1, Section 1079.1, Section 1135.4, Section 1182 and Section 1182.1 thereof, to read as follows:

1165.1 MOTORIZED RICKSHAW DEFINED

A motorized rickshaw is a motor vehicle having three or four wheels, convertible type, designed to carry not more than four passengers. The gross weight of a motorized rickshaw shall not exceed 4700 pounds, unloaded, and shall have a wheel base not to exceed 95 inches, and shall have an engine not to exceed four cylinders. The rickshaw shall have a cloth hood over the real seating area that shall resemble the hood of a traditional oriental jinrickshaw.

1079.1 EXEMPTION FOR MOTORIZED RICKSHAW

Notwithstanding the provisions of Section 1079 of this Article the Police Commission is authorized to allow the Permittee of a motorized rickshaw or motorized rickshaws to suspend operation during those times, when in the judgment of the Police Commission, public convenience and necessity would not suffer. In making such determination, the Police Commission may consider the average weather conditions during such period of suspended operation and the availability of tourists wishing to use the services offered by the motorized rickshaw.

1135.4 RATES FOR MOTORIZED RICKSHAWS

The rates of fare for motorized rickshaw shall be as follows:

On a time basis, not more than \$12.50 for the first hour or fraction thereof, and \$12.50 for each succeeding half hour or fraction thereof. For each additional

passenger above two, nor more than \$6.25 per passenger, for the first half hour and each succeeding half hour.

On a mileage basis, not more than \$1.00 for the first mile or fraction thereof, and 50 cents for each additional half mile or fraction thereof.

Said rates as to time or mileage shall be computed from the time and place that said rickshaw was dispatched to the passenger until it is returned to the point of origin.

Drivers of motorized rickshaws shall complete an accurate waybill specifically setting forth the time of hire and discharge, the number of passengers, the origin and destination, and the charges authorized and made for each trip.

1182 REGULATION OF MOTORIZED RICKSHAWS

Motorized rickshaws shall be required to confirm to all the provisions of this Article applicable to motor vehicles for hire, except for those provisions which by their very nature can have no application.

1182.1 PRIOR PERMITS, EXCEPTIONS

Permits heretofore issued by the Police Commission, restricted to motorized rickshaws shall continue in effect.

APPROVED AS TO FORM:

THOMAS M. O'CONNOR
City Attorney

APPROVED:

THE POLICE COMMISSION

DEPUTY CITY ATTORNEY

SECRETARY

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 237-77

HEARING OF POLICE OFFICER ROBERT RODRIGUEZ, BUREAU OF
SPECIAL SERVICES.

WHEREAS, the hearing of Police Officer Robert

Rodriguez was called, it having been set for this date; and

WHEREAS, Mr. Stephen Bruce Bley, Attorney at Law, who is representing Police Officer Robert Rodriguez, has requested a continuance of this matter as the case is still pending before the Courts; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Robert Rodriguez is set for Wednesday, June 15, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 238-77

HEARING OF POLICE OFFICER CRAIG PIRO, BUREAU OF SPECIAL SERVICES

WHEREAS, the hearing of Police Officer Craig Piro was called, it having been set for this date; and

WHEREAS, Mr. Stephen Bruce Bley, Attorney at Law, who is representing Police Officer Craig Piro, has requested a continuance of this matter as the case is still pending before the Courts; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Craig Piro is set for Wednesday, June 15, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

AMENDING CHAPTER 1, SAN FRANCISCO ADMINISTRATIVE CODE, BY ADDING SECTION 1.24 THERETO, RELATING TO A HOLD HARMLESS AGREEMENT WITH THE U.S. ARMY AND NAVY.

Chief Gain: "Mr. President, as you know we are using facilities owned by the Navy at Treasure Island for our recruit training and what is required by the Federal

Authorities is a 'hold harmless' clause so what we are asking is that the Commission by resolution send the proposed document to the Board of Supervisors so that they can pass it."

RESOLUTION NO. 236-77

HOLD HARMLESS AGREEMENT WITH THE U.S. ARMY AND U. S. NAVY

WHEREAS, the United States Army and United States Navy, have training facilities available which could be used by the San Francisco Police Department; and

WHEREAS, the areas of Crissy Field and a portion of Treasure Island have been offered to the San Francisco Police Department for use in the training of recruits and field training officers; and

WHEREAS, the respective agencies have requested a Hold Harmless Agreement to be entered into on behalf of the City and County of San Francisco; therefore be it

RESOLVED, that the following proposed ordinance which provides for a Hold Harmless Agreement between the San Francisco Police Commission and the United States Army and Navy for the use of training facilities at Crissy Field and Treasure Island is hereby transmitted to the Board of Supervisors for adoption.

AMENDING CHAPTER 1, SAN FRANCISCO ADMINISTRATIVE CODE,
BY ADDING SECTION 1.24 THERETO, RELATING TO A HOLD HARMLESS
AGREEMENT WITH U.S. ARMY AND NAVY.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 1, San Francisco Administrative Code, is hereby amended by adding Section 1.24 thereto, reading as follows:

Section 1.24. Hold Harmless Agreement with U.S. Army and Navy

The Police Commission is hereby authorized to enter into a Hold Harmless Agreement with the United States Army and with the United States Navy for the purpose of obtaining training facilities for the police department's recruit training program and the field training officers' program. The agreement shall

be for facilities at Crissy Field with respect to the Army and at Treasure Island with respect to the Navy. Copies of which are on file with the Clerk of the Board of Supervisors in file number_____.

APPROVED AS TO FORM:

APPROVED:

THOMAS M. O'CONNOR
City Attorney

THE POLICE COMMISSION

DEPUTY CITY ATTORNEY

SECRETARY

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

Commissioner Gallegos: "On the matter of visits, this is just a piece of information, Commissioner Siggins and I had the opportunity to visit the Salvation Army's Detoxification Center through Officer Devine and we were very very pleasantly surprised to find the change in the kind of services the Salvation Army gave as a very important part in helping alcoholics here in San Francisco. When I went there I thought we were going to see the usual soup and salvation program but as it turned out they have a superb detoxification program. It means that the Salvation Army is not in the soup line feeding program it is involved in doing a more positive program and I really appreciate Officer Devine lining it up for us because I think it is important that when we think in terms of police services a lot of problems are just public health problems as much as they are problems of crime and I think that unfortunately a lot of responsibility is placed on the shoulders of the police department that really ought to be a service that is dealt with medically or some other way. But anyway we are very happy that we had a chance to see that. I also want to report that I had an opportunity to visit the St. Louis Police Department recently and had a chance to see their Internal Affairs Bureau in operation and I was very impressed with the way they conduct their affairs. I brought back some of the material which I shared with the Chief and maybe some can be circulated to you, my fellow Commissioners."

Commissioner Ciani: "Regarding the detoxification center at the Salvation Army, how does that relate to MAP? We had some discussion once before about the fact that this MAP program only has something like 12 beds available and this is far less than the number that is needed. Is this Salvation Army Program something that supplements MAP, or is it something different?"

Officer Devine: "Commissioner, I believe they have something like 37 beds available every day and those are filled

by noon. MAP will go and pickup a public inebriate off the street or sidewalk and have no place to put him. But the Salvation Army is included in the number of beds that are available."

Commissioner Ciani: "So what is the total number of beds available on a daily basis? Do they turn them over on a 36 hour, 48 hour basis or something like that?"

Officer Devine: "I believe there is 52 beds available in the City right now, they closed down two centers on account of budget."

Commissioner Ciani: "There is 52 total and they turn over every 24 and 48 hours so there would be about half that number available a day, and when those are filled it is the overflow number that has to be booked?"

Officer Devine: "Right."

PUBLIC HEARING TO DETERMINE IF PUBLIC CONVENIENCE AND
NECESSITY EXISTS FOR THE ISSUANCE OF TEN (10) SIGHT-
SEEING BUS PERMITS. (APPLICANT: SAN FRANCISCO HOSTS,
INC.)

The matter of the application of San Francisco Hosts, Inc., for new Certificates of Public Convenience and Necessity for the operation of Sightseeing Bus Permits was called, the application having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto.

Mr. Alexander Anolik, Attorney at Law, representing San Francisco Hosts, Inc., gave a brief summary on how S. F. Hosts, Inc., plans to operate if granted those permits they have requested. He then introduced the following persons each of who gave an overview of current operations and proposed operations:

Mr. Joseph Flood, Executive Vice President, San Francisco Hosts, Inc.

Ms. Irene Vasquez, Receptive Operator, San Francisco Hosts, Inc.

Mr. Wayne Caulfield, Attorney and Associate to Mr. Anolik.

Other Speakers

Mr. Gary Greenfield, Attorney representing Mr. Favid Gilmartin, applicant for 15 Sightseeing Bus Permits.

Mr. James Mulpeters, President, Grayline, Inc.

After hearing the testimony of all parties concerned, the Commission took the matter under advisement.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

801 - 24th STREET - (FORMERLY CLEVELAND WRECKING CO.)

- a) At 801 - 24th Street, revoke existing 66' yellow zone (14' - 80' west of Third Street.)

51 HARLOW STREET - EVERETT JR. HIGH SCHOOL

- a) At 51 Harlow Street, revoke existing 22' yellow zone, (22' - 44' south of Church.)

240 SHIPLEY STREET - HOTEL OWNERS LAUNDRY, INC.

- a) At 240 Shipley Street, install a 44' yellow zone, to extend from 6' - 50' east of Falmouth Alley.

1645 JUDAH STREET - LLOYD L. PENN, M.D.

- a) At 1645 Judah Street, revoke existing 22' white zone - (39' - 61' east of 22nd Ave.)

541 OCTAVIA STREET - (FORMERLY B & B CLUB)

- a) At 541 Octavia Street - revoke existing 30' yellow zone - (6' - 36' north of Ivy Street)

501 OCTAVIA STREET - (FORMERLY MARKET & LIQUER STORE)

- a) At 501 Octavia Street revoke existing 40' yellow zone - (11' - 51' north of Hayes.)

3177 MISSION STREET - MANILA GROCERY

- a) At 3177 Mission Street - revoke existing 22' yellow zone - (from 1' - 23' south of Powers Street.)

2 TEHAMA STREET - TRAVELAIRE LUGGAGE

- a) At #2 Tehama Street, revoke existing 31' yellow zone, and install 31' green zone, to extend from

12' - 43' west of east property line.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 233 feet of yellow and white zones at the parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Caini, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 211-77

ADRIAN BURNS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Adrian Burns against the City and County of San Francisco in the sum of \$38.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 14, 1977

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 212-77

ROBERT L. BYRD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert L. Byrd against the City and County of San Francisco in the sum of \$38.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 15, 1976

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

RESOLUTION NO. 213-77

ELIZABETH ANN DOWNING

RESOLVED, that the recommendation of the City Attorney for the settlement of the claim of Elizabeth Ann Downing against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 27, 1976

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 214-77

LORRAINE FISHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lorraine Fisher against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 16, 1976

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 215-77

EDWARD GILLIAM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Edward Gilliam against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 17, 1977

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 216-77

MARK JACOBS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mark Jacobs against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 6, 1976

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 217-77

JOHN V. JOHNSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John V. Johnson against the City and County of San Francisco in the sum of \$20.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 5, 1977

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 218-77

MARILYN MERCUR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marilyn Mercur against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 21, 1976

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 219-77

LELAND S. PHELPS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leland S. Phelps against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 22, 1976

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 220-77

JUAN ROSENDO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Juan Rosendo against the City and County of San Francisco in the sum of \$20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 31, 1976

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 221-77

ROBERT J. SHEPPARD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert J. Sheppard against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 6, 1976

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 222-77

THOMAS H. & LORRAINE E. VOSS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas H. and Lorraine E. Voss against the City and County of San Francisco in the sum of \$40.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 27, 1976

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 223-77

LULU DAVIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lulu Davis against the City and County of San Francisco in the sum of \$28.49 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 23, 1977

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 224-77

CALIFORNIA STATE AUTO ASSOCIATION
(MARTIN PULICH)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of California State Auto Association (Martin Pulich) against the City and County of San Francisco in the sum of \$293.19 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 10, 1976

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 225-77

JOHN E. CORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John E. Corney against the City and County of San Francisco in the sum of \$228.96 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: January 30, 1977

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 226-77

NATIONWIDE INSURANCE (ARTHUR AUSTIN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nationwide Insurance (Arthur Austin) against the City and County of San Francisco in the sum of \$81.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: May 3, 1976

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 227-77

ALBERT SAMUELS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Albert Samuels against the City and County of San Francisco in the sum of \$64.99 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 8, 1976

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 228-77

NORA S. YEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nora S. Yee against the City and County of San Francisco in the sum of \$67.30 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 12, 1976

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 229-77

MICHAEL GARCIA

RESOLVED, that the recommendation of the City Attorney for settlement of Small Claims Court Judgment by Superior Court Action No. SCA 13187 in the sum of \$327.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 30, 1974

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RETIREMENTS:

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Sergeant Kenneth Barton, Park Police Station,
for service, effective May 1, 1977.
- b) Sergeant Robert T. Flynn, Southern Police Station,
for service, effective April 27, 1977.
- c) Inspector Francis J. Mahoney, Bureau of Inspectors,
for service, effective May 1, 1977.

- d) Inspector Joseph A. Mendiola, Juvenile Bureau, for service, effective May 11, 1977.
- e) Assistant Inspector Daniel J. Mahoney, Bureau of Inspectors, for service, effective May 1, 1977.
- f) Police Officer David A. Utter, Central Police Station, for service, effective May 8, 1977.

The Communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 230-77

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$4,000 charging same to appropriation no. 6.161.890.050 as an advance on the Police Narcotic Fund for the month of May, 1977.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 231-77

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$3,000 charging same to appropriation no. 6.161.890.000 as an advance on the Police Contingent Fund for the month of May, 1977.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 232-77

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES-
APPROVED.

WHEREAS, Police Officer Craig S. Piro, Bureau of Special Services, was suspended without pay effective at 1600 hours, Tuesday, April 12, 1977, pending hearing of the charges before the Police Commission; and

WHEREAS, Police Officer Craig S. Piro has requested a Leave of Absence Without Pay pending hearing of charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Craig S. Piro, Bureau of Special Services, be placed on a Leave of Absence Without Pay at his request for a period of ninety (90) days commencing May 12, 1977, until his hearing is held before the Police Commission.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 233-77

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES-
APPROVED

WHEREAS, Police Officer Robert J. Rodriguez, Bureau of Special Services, was suspended without pay effective at 1600 hours, Tuesday, April 12, 1977, pending hearing of the charges before the Police Commission; and

WHEREAS, Police Officer Robert J. Rodriguez has requested a Leave of Absence Without Pay pending hearing of charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Robert J. Rodriguez, Bureau of Special Services, be placed on a Leave of Absence Without Pay at his request for a period of ninety (90) days commencing May 12, 1977, until his hearing is held before the Police Commission.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted for twenty-five members of the Police Department for expenses incurred in attending the below-indicated program; said expenses having been approved by the Chief of Police, be, and the same is hereby approved:

Attendance of Twenty-five) \$36,050 (Retreat Facility,
field training officers at) (Watsonville,
five forty-hours seminars.) (California.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, May 10, 1977 at 2400 hours, as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	94	92
Daily average for the week disabled	<u>100</u>	<u>94</u>
TOTALS	194	186

This is an increase of eight (8) members off duty daily from the previous week.

Daily percentage for the week sick	4.79
Daily percentage for the week disabled	<u>5.64</u>
TOTAL	10.43

Disabled at start of week	93
Started during the week	14
Returned during the week	13
Disabled at the end of the week	94
Net Gain or Loss	+1

SICK AND DISABLED FOR WEEK ENDING SATURDAY, MAY 8, 1976
AT 2400 HOURS:

Daily average for the week sick	44
Daily average for the week disabled	<u>120</u>
TOTAL	164

Daily percentage for the week sick	2.40
Daily percentage for the week disabled	<u>6.84</u>
TOTAL	9.24

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY, APRIL
19, 1977 AT 2400 HOURS: _____

Daily average for the week sick	89
Daily average for the week disabled	<u>95</u>
TOTAL	184

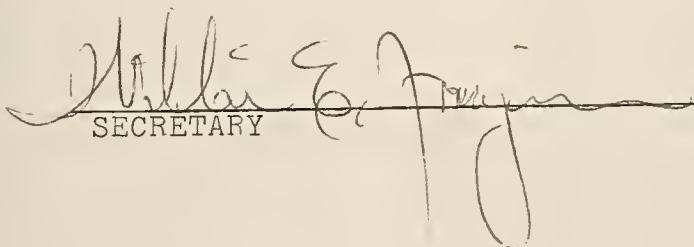
Daily percentage for the week sick	4.17
Daily percentage for the week disabled	<u>5.75</u>
TOTAL	9.92

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

The Commission then adjourned its meeting.



SECRETARY

77
25 MAY 1977

Minutes

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, May 25, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Hall, Murphy, Siggins

ABSENT: Commissioner Gallegos

Commissioner Siggins presiding.

DOCUMENTS

JUN 5 1977

SAN FRANCISCO
PUBLIC LIBRARY

The members of the Commission, having been furnished copies of the minutes of the meeting of April 27, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain after having been asked questions on an expense voucher submitted by Sergeant Bill Taylor, Internal Affairs Bureau, stated that the Sergeant went to Fort McClellan, Alabama. He stated that the round trip air fare was \$290.00 dollars, local travel \$15.00 dollars, subsistence lodging and meals \$210 dollars, and cost of tuition was \$246 dollars, which rounded out to a total cost of \$841 dollars. The Police Commission in Resolution No. 150-77 had given permission to Sergeant Taylor to attend a Polygraph Examiner Training Course at Fort McClellan, Alabama, from April 10, 1977 to April 29, 1977. Chief Gain then stated that he just wanted the Commission to know that the Department endeavors to be responsive to Commission inquiries.

RESOLUTION NO. 239-77

PATROL SPECIAL OFFICER KENT BRANDT - REVOKED

RESOLVED, that the appointment of Kent Brandt for Beats Nos. 8 and 23, Southern Police District, be, and the same are hereby revoked effective May 25, 1977, he having sold his beats to Patrol Special Officer Robert J. Hart.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 240-77

PATROL SPECIAL OFFICER ROBERT J. HART -APPROVED

RESOLVED, that Robert J. Hart, be, and he is hereby appointed Patrol Special Officer for Beats Nos. 8 and 23, Southern Police District; said appointment effective May 25, 1977, he having purchased Beats Nos. 8 and 23, Southern Police District, from Kent Brandt.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 246-77

INSPECTOR RONALD LIMNEOS, JUVENILE BUREAU, - CONTINUED
OFF CALENDAR.

WHEREAS, on Wednesday, May 25, 1977, Charles R. Gain, Chief of Police, made and served charges against Inspector Ronald Limneos, reading as follows:

SPECIFICATION NO. 1

Failure to truthfully and without evasion answer questions propounded by persons having authority to conduct such an investigation. (Villation of Rule 2.49 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

The unlawful taking of money and property. (Violation of Rule 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Unlawful furnishing of a Controlled Substance to unauthorized persons. (Violation of Rule 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Failure to make proper police report. (Violation of Rule 3.83 of the Rules and Procedures of the San Francisco Police Department.)

and

WHEREAS, the Police Commission set Wednesday, May 25, 1977, as the date for the hearing on charges filed against Inspector Ronald Limneos; and

WHEREAS, Chief of Police Charles R. Gain, announced that the Police Department was in receipt of the resignation of Inspector Ronald Limneos from the San Francisco Police Department; said resignation effective May 9, 1977, which resignation was accepted with the condition that the services of Inspector Ronald Limneos have been unsatisfactory and that he does not resign in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Inspector Ronald Limneos, be, and the same are hereby continued off calendar.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

PUBLIC HEARING TO DETERMINE IF PUBLIC CONVENIENCE AND NECESSITY EXISTS FOR THE ISSUANCE OF FIFTEEN (15) SIGHTSEEING BUS PERMITS. APPLICANT: DAVID F. GILMARTIN. (CONTINUED FROM MEETING OF MAY 11, 1977.) - CONTINUED.

The matter of the hearing on Mr. David F. Gilmartin's application for Certificates of Public Convenience and Necessity for the operation of 15 sightseeing bus permits was called, it having been continued from the meeting of May 11, 1977.

Mr. Craig McAtee, Attorney, appeared in behalf of Greyline and presented further testimony in opposition to Mr. Gilmartin's request.

Testimony was also received from the following persons:

Mr. Alexander Anolik, Attorney representing S.F. Hosts, Inc.
Mr. David F. Gilmartin, Applicant
Mr. James F. Mulpeters, President, Greyline, Inc.
Mr. Gary Greenfield, Attorney for Mr. Gilmartin
Mr. D. Wayne Caldwell, Attorney at Law and Associate to Mr. Alexander Anolik.

Commissioner Siggins stated that the Commission now has 47 applications that were left with the Permit Bureau dating back to July of 1976, for sightseeing permits. The department told most of the applicants that we weren't going to hold hearings and did not accept the filing fees. He stated even though we are holding this hearing for Mr. Gilmartin the Commission has to think about the due process

of some of the others and find out if the others are still interested in filing. At the present time recognizing the evidence that you have put in about the financing and financial stability and also San Francisco Host's application for 10 permits and its financial stability and the plans that they have now are the problems that we have and we are going to have to wrestle with that problem.

The Commission, after further discussion, decided that the matter of the hearing on David F. Gilmartin's application be continued until after the other 47 applicants had been given a chance to be heard on their requests for sightseeing permits. The Commission instructed the Chief to prepare a letter of notification to all 47 applicants advising them that the Commission would hold hearings on their applications commencing June 9, 1977, at 5:30 p.m., in Room 551, Hall of Justice.

(The Hearing was recorded in shorthand form by Hearing Reporter Marylyn J. B. Miller, Court Reporter. It was also recorded on cassette tapes filed in the Office of the Secretary to the Police Commission.)

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

50 CHESTNUT STREET - FRANCISCO BAY PARK

- a) At 50 Chestnut Street, install a 44' yellow zone, to extend from 69' - 113' east of Montgomery.

1700 MONTGOMERY STREET - FRANCISCO BAY PARK

- a) At 1700 Montgomery Street, install a 44' white zone, to extend from 69' - 113' north of Chestnut Street.

1865 CALIFORNIA STREET - SCARPA APARTMENTS

- a) At 1865 California Street, install a 22' white zone, to extend east of west property line.

2048 TARAVAL STREET - ABC APPLIANCE

- a) At 2048 Taraval Street, install a 22' yellow zone, to extend west from east property line.

1777 YOSEMITE AVENUE - SERTA/SAN FRANCISCO

- a) At 1777 Yosemite Avenue, install a 35' green zone, to extend east from west building line.

4080 MISSION STREET - Y.M.C.A.

- a) At 4080 Mission Street, install a 44' white zone, to extend south from north building line.

3893 SACRAMENTO STREET - CHILDREN'S HOSPITAL OF SAN FRANCISCO

- a) At 3893 Sacramento Street, install a 22' blue zone, to extend east from west building line.

1500 BUSH STREET - WILSON COUNTY RESTAURANT

- a) At 1500 Bush Street, install a 22' white zone, to extend from 14' - 36' east of west line.--Also remove meter BUSH-1508.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Department:

- a) Captain Hugh C. Elbert, Patrol Headquarters, for service, effective May 1, 1977.
- b) Lieutenant William J. Byrne, Southern Police Station, for service, effective April 23, 1977.

The Communications were ordered filed.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 241-77

AUTHORIZING ATTENDANCE OF DEPUTY CHIEF MARIO AMOROSO, SUPPORT SERVICES, DEPUTY CHIEF KEVIN MULLEN, ADMINISTRATION, AND DEPUTY CHIEF DONALD TAYLOR, FIELD OPERATIONS, AT AN EXECUTIVE DEVELOPMENT COURSE, AT GOLDEN GATE UNIVERSITY, TIBURON, CALIFORNIA, FROM JUNE 5, 1977 TO JUNE 17, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Deputy Chief Mario Amoroso, Support Services, Deputy Chief Kevin Mullen, Administration, and Deputy Chief Donald Taylor, Field Operations, be detailed to attend an Executive Development Course at Golden Gate University, Tiburon, California, from June 5, 1977 to June 17, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Deputy Chief Amoroso, Deputy Chief Mullen, and Deputy Chief Taylor in a sum not to exceed \$356.00 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 242-77

AUTHORIZING ATTENDANCE OF SERGEANT RICHARD RACINE, PATROL HEADQUARTERS, AND SERGEANT PHILIP DUNNIGAN, MISSION POLICE STATION, AT THE WESTINGHOUSE CORPORATION'S ICAP CRIME ANALYSIS ORIENTATION PROGRAM FOR FIELD SUPERVISORS, AT DALLAS, TEXAS, FROM JUNE 8, 1977 TO JUNE 10, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Richard Racine, Patrol Headquarters, and Sergeant Philip Dunnigan, Mission Police Station, be detailed to attend the Westinghouse Corporation's ICAP Crime Analysis Orientation Program for Field Supervisors at Dallas, Texas, from June 8, 1977 to June 10, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeants Richard Racine and Philip Dunnigan will be defrayed by Westinghouse Corporation.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 243-77

TRAVEL EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Deputy Chief Clement DeAmicis		(Executive Develop-
Advanced:	\$356.00	(ment Course at Golden
Expenses:	286.00	(Gate University, Tiburon,
Refund (Check No. 2151	<u>\$ 70.00</u>	(California, from May
encl.)		(1, 1977 to May 13, 1977,
		(inclusive.
Supervising Captain		
Agustius Bruneman	\$356.00	
Captain James P. Shannon	\$356.00	
Captain Thomas Prevezich	\$356.00	

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 244-77

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

<u>Captain John A. McSweeney</u>		(Internal Affairs
Expenses:	\$298.00	(Seminar, California
Advanced:	\$243.00	(State University,
Amount due:	<u>\$ 55.00</u>	(Long Beach, California,
		(from April 26, 1977
		(to April 29, 1977,
		(inclusive.
<u>Sergeant Robert F. Dennison</u>		
Expenses:	\$298.00	
Advanced:	\$243.00	
Amount due:	<u>\$ 55.00</u>	

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 245-77

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY SERGEANT BILL R. TAYLOR, INTERNAL AFFAIRS BUREAU, AT A POLYGRAPH EXAMINER REFRESHER TRAINING COURSE AT FORT MCCLELLAN, ALABAMA, FROM APRIL 10, 1977 TO APRIL 29, 1977, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Sergeant Bill R. Taylor, Internal Affairs Bureau, received permission from the Police Commission to attend a Polygraph Examiner Refresher Training Course at Fort McClellan, Alabama; and

WHEREAS, Sergeant Bill R. Taylor, did travel to Fort McClellan, Alabama, to attend this training course from April 10, 1977 to April 29, 1977, inclusive; therefore be it

RESOLVED, that expenses in the amount of \$861.00 incurred by Sergeant Bill R. Taylor while attending this course will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, May 17, 1977 at 2400 hours as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	87	94
Daily average for the week disabled	<u>96</u>	<u>100</u>
TOTALS	183	194

This is a decrease of eleven (11) members off duty daily from the previous week.

Daily percentage for the week sick	4.14
Daily percentage for the week disabled	<u>5.48</u>
TOTAL	9.62

Disabled at the start of the week	95
Started during the week	11
Returned during the week	18
Disabled at the end of the week	7
Net Gain or Loss	-7

SICK AND DISABLED FOR WEEK ENDING SATURDAY, MAY 15, 1976 AT 2400 HOURS:

Daily average for the week sick	40
Daily average for the week disabled	<u>112</u>
TOTAL	152
Daily percentage for the week sick	2.10
Daily percentage for the week disabled	<u>6.45</u>
TOTAL	8.55

SICK AND DISABLED FOR WEEK ENDING TUESDAY, APRIL 26, 1977 AT 2400 HOURS:

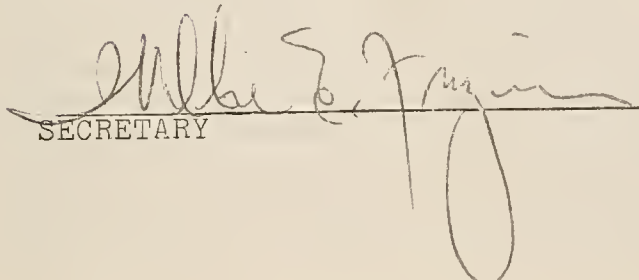
Daily average for the week sick	92
Daily average for the week disabled	<u>95</u>
TOTAL	187
Daily percentage for the week sick	4.56
Daily percentage for the week disabled	<u>5.58</u>
TOTAL	10.14

The report was ordered filed.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

The Commission then adjourned its meeting.



SECRETARY

1 JUNE 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, June 1, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Gallegos, Murphy, Siggins

ABSENT: Commissioner Hall

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of May 4, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, tonight with your permission I would like to have Officers John Murphy, Dennis Schaardt and FBI Agent Dennis Boone, who are involved in the San Francisco Police Department FBI Crime Resistance Program, give the Commission a Status Report on that program. They have in fact made remarkable accomplishments in the program and I feel it has very definitely been a big part of the favorable impact that we are having on crime in recent date."

Officer Dennis Schaardt then passed to the Commissioners information about the program.

Officer John Murphy then spoke about the senior citizen program. He stated that he had been working with FBI Agent Dennis Boone since January of this year and since that time they had found a few interesting facts in San Francisco. He stated that one is, that the senior citizens had a typical stereo-type criminal they were watching out for. He said working with the Street Crime Unit they found out that there is no stereo-type criminal. In the street a person dressed the same as he and agent Boone could be a criminal. He continued by saying the senior citizens in this town which number over 150, have felt for the longest time that the criminal has more rights than they do. He stated that what they are convincing them to do is to take certain precautions and resist crime in certain ways so they can be safe on the streets and we encourage them to use the streets. Some of the things that we have been doing with the senior citizens he said, is to encourage them to discontinue carrying their purses in certain areas at certain times. He stated that if you eliminate the purse, you eliminate the crime of purse snatch. He said they have convinced the women by giving them facts and statistics about where they live and the community in which they live and what they can do to better protect themselves. He then showed the Commission an example of purseless pockets the program

recommends for the women to carry. He then passed around what he called their winter model which is for a woman who is wearing a heavy coat and doesn't have the room to put every thing she needs in a smaller pocket and this pocket simply snaps to the inside of her coat pocket and leaves both her hands free. She looks confident and also displays herself in a very proud manner in walking down the street. He said this acts as a deterrent to a young boy who is bent on snatching a purse. He then displayed a smaller model which he called the summer model and stated that it was for the hot days in the City when the lady does not want to wear a coat and to carry anything with her all she has to do is simply snap this small model on to her bra strap or anywhere else where she wants to carry her keys or that valuable bit of information which she needs to be on the street within 10 blocks of her home. He stated that they have also taped two television shows which are senior citizen shows aired by Channel 4 and reach a million people. He stated that through that show they have given out their purseless pocket pattern which Singer Corporation kindly printed up for them in conjunction with Levi Strauss who donated 2,000 yards of material. He said with the machines and the material they have received, they are going to all of the senior citizens' areas, buildings and projects in San Francisco and they are telling the people that the police department can be the answer to certain problems but in streets safety they are going to have to take certain steps in which they can prevent being a victim of crime.

Agent Dennis Boone stated that as Officer Murphy has said, it is their primary function to make the senior citizen aware of crime without frightening them, to try to show them that this is how they can help themselves. He said, again what makes this program unique is that it is non-funded. He stated that as Officer Murphy mentioned, they talk to them about street safety, residential safety, security of the home and more important they discuss the perpetrator and advise them not to confront the perpetrator and not to underestimate the perpetrator because many are juveniles and are capable of committing some very hideous crimes.

Officer Dennis Schaardt stated that he thought one of the best things that their program has introduced to the senior citizen is an item called the shrive-alarm. He stated that they demonstrated it today and Channel 4 is going to air it tonight but it is a small cannister-type item almost about the size of a mace can. He stated to operate it you just press the top of it and it emits a shrill ear piercing sound and it will draw attention to anyone who activates it and it also may scare off the attacker.

Commissioner Siggins than stated to Agent Boone: "When you first came you said you were going to be here for 90 days, has that been extended?"

Agent Boone: "Yes sir, it has as a matter of fact from the Bureau standpoint they are going to keep me on the program for as long as they think it is necessary, and it looks like now I am the only agent remaining in the program and I am going to be here for some time to come."

Chief Gain: "May I comment Mr. President, in regards to Agent Boone's remarks about his continued involvement it is necessary for the program here and very beneficial to it. In that connection as far as the FBI is concerned, they are so impressed with the accomplishments being made in this program that on June 23rd, Clarence Kelly, the Director of the FBI will be in San Francisco under the aegis of the Commonwealth Club and will be speaking at the Sheraton Palace at 5:30 and the Commission is invited and we will give you formal invitations and the principal remarks he will be making will be about this program, how good it has been and that it is an exemplary program and will be expanded throughout the United States. Without question this program has been very very worthwhile and this is one indication of it."

After further discussion Commissioner Murphy suggested that the Commission send an official letter commending Levi Strauss, Bank of America, Singer, Bayview Federal Savings and the Newspapers commending them for their cooperation and financial help. Lieutenant Jordan stated that he would also like to compliment the officers who are involved in the program for it was just as Commissioner Siggins said they showed just as much enthusiasm today as they did four or five months ago as when they first started the program.

RESOLUTION NO. 251-77

PATROL SPECIAL OFFICER RALPH GREBMEIER - REVOKED

RESOLVED, that the appointment of Ralph Grebmeier for Beat No. 7, Central Police District, be, and the same is hereby revoked effective June 1, 1977, he having sold his beat to Patrol Special Officer Kung Kay Chiu.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 252-77

PATROL SPECIAL OFFICER KUNG KAY CHIU - APPROVED

RESOLVED, that Kung Kay Chiu, be, and he is hereby appointed a Patrol Special Officer for Beat No. 7, Central Police District; said appointment effective June 1, 1977, he having purchased Beat No. 7, Central Police District, from Ralph Grebmeier.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

HEARING TO DETERMINE WHETHER OR NOT THE JITNEY BUS PERMIT ISSUED TO MR. INOCENCIO P. BENDO SHOULD BE REVOKED AS RECORDS INDICATE THAT HE HAS FAILED TO COMPLY WITH PROVISIONS OF SECTION 1094 OF THE MUNICIPAL POLICE CODE, PERTAINING TO YEARLY TAXES TO BE PAID TO THE CITY AND COUNTY OF SAN FRANCISCO. (CONTINUED FROM MAY 11, 1977)-CONTINUED FOR THREE WEEKS

AND

HEARING TO DETERMINE WHETHER OR NOT THE JITNEY BUS PERMIT ISSUED TO MR. ASKOR K. SHANKAR SHOULD BE REVOKED AS RECORDS INDICATE THAT HE HAS FAILED TO COMPLY WITH PROVISIONS OF SECTION 1094 OF THE MUNICIPAL POLICE CODE PERTAINING TO YEARLY TAXES TO BE PAID TO THE CITY AND COUNTY OF SAN FRANCISCO, AND ALSO THAT HIS JITNEY BUS PERMIT IS NOT BEING OPERATED IN COMPLIANCE WITH SECTION 1079 OF THE MUNICIPAL POLICE CODE (CONTINUOUS OPERATION REVOCATION PROVIDED FOR.) (CONTINUED FROM MEETING OF MAY 4, 1977.) - CONTINUED FOR THREE WEEKS.

Deputy Chief Mullen stated that Officer Martindale of the Permit Bureau had contacted Mr. Inocencio Bendo who stated that he had thought he had paid his taxes. According to Officer Martindale, Mr. Bendo was unaware that the law had been changed to allow aliens to operate jitney buses. Now that Mr. Bendo is aware of this change he has stated that he plans to operate the bus himself. Mr. Bendo, according to Officer Martindale, is now requesting time so that he will be able to buy himself a bus, acquire the necessary insurance and then he will go into business. Officer Martindale stated that as far as Mr. Shankor was concerned, he had not been able to locate him. However, he was still trying. Deputy Chief Mullen then reported to the Commission in regards to establishing new routes. He stated that the MPC did allow the Chief to establish new routes for Jitneys. He stated that to do so, however, would impinge upon other transportation sources. He said the most opposition would probably come from the Muni-Railway. He stated that about two years ago, a suggestion was made to have the jitneys service the Crocker Amazon area, but Muni opposed and the jitneys themselves also declined because they did not feel that the area would offer enough business to make it worth their while. He stated that there are at the present time 117 jitneys in operation, another 35 has shelved their permits because of poor business brought on by the advent of BART. The Commission then decided that the matter for both parties would be continued for three (3) weeks.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

MR. JAMES STEELE AND MR. STEVEN TENNIS RE PROGRESS REPORT ON SALE OF YELLOW CAB COMPANY TAXICAB PERMITS

Mr. Steele and Mr. Tennis introduced themselves to the Commission and stated that they wanted to provide the Commission with an overview of the new Yellow Cab Co-op what it has done in the past and what it intends to do in the future. Mr. Tennis stated that he realized that there has been a great deal of rumor and confusion concerning this matter and their purpose is to let the Commission know what they intend to do. He then stated that the Co-op is a California Cooperative Cooperation that will be composed mostly of people who have a history in the Taxi business in San Francisco. Many of them are currently drivers from cab companies. He stated that the Co-op will own the assets of the old Yellow Cab Company except that the members of the Co-op who are the equivalent share holders in the cooperation will have the permits, taxicabs, and the meters in

their own names. Those items, he stated, however, will be subject to the control of the Co-op and must be operated through the Co-op. He stated that if a member wishes to sell, he cannot take his cab and meter and sell to anyone he must sell to someone acceptable to the Commission and who agrees to operate through the Co-op. He stated that that somewhat describes the structures of the Co-op. He continued by saying that the Co-op made an offer to the Bankruptcy Court which was accepted on May 13th of this year and the final terms of their proposal are now being negotiated. He stated that they would take the money derived from the Co-op memberships and use the money to make the necessary down payments to the Bankruptcy Court. He stated that within 30 days after they make those down payments they will be applying to the Commission for the transferring of up to 350 taxicab permits previously owned by Yellow Cab. He said up to 250 of those would be for members of the cooperative and up to 100 of those would be transferred to existing radio controlled, centrally controlled taxicab companies such as Luxor and DeSoto. He said Mr. Steele had been discussing with the Staff of the Commission a method or procedures whereby they can minimize the burden on the Commission of having to deal with upwards of 350 applications for the transfer of the permits. He said in addition, the organizers of the Co-op are taking care of the preliminary operations of the company such as dealing with insurance companies, trying to get some tires for the cabs, things of that nature so that as soon as the transfers are approved they will be able to provide yellow cab service in San Francisco as soon as humanly possible.

Commissioner Siggins then asked if there had been any change or modification in the court's order of May 13th. Mr. Tennis stated that the Court on May 13th issued an opinion accepting the Co-op's proposal. He said a formal order based upon that opinion has been prepared by the receiver's attorney and lodged with the court and to his knowledge it was supposed to be signed yesterday. He stated that he does not know whether that order, in fact, has been signed today but he assumed that it would be signed soon. He said one of the disappointed bidders has asked the court to re-open the bidding and the court will hold a hearing on that issue on June 9th, in San Diego to determine whether it will re-open the bidding and if so, under what circumstances. He then stated that he would be misleading the Commission if he were to say their offer has, in fact, finally been accepted for it will be challenged at every step of the way.

After further discussion on the matter, Commissioner Siggins thanked Mr. Tennis and Mr. Steele for their presentation.

PUBLIC HEARING TO DETERMINE IF PUBLIC CONVENIENCE AND NECESSITY EXISTS FOR THE ISSUANCE OF TEN (10) SIGHTSEEING BUS PERMITS.
APPLICANT: RONALD H. DAVIS.

The matter of the application of Ronald H. Davis for new Certificates of Public Convenience and Necessity for the operation of ten (10) Sightseeing Busses was called, the application having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto.

Mr. Davis appeared in his own behalf and stated that he would give the Commission a brief overview of his proposed

operation. He stated that most of the pertinent points in regard to his proposed tours are covered in his application. After Mr. Davis completed his presentation he was asked questions by the Commission. Mr. Craig McAtee, attorney for Grayline, Inc., also asked Mr. Davis questions regarding his proposed operations. The Commission then took the matter under advisement.

RESOLUTION NO. 248-77

LIZA G. GINGELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Liza G. Gingell against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 5, 1976

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department.

- a) Police Officer James P. Burke, Richmond Police Station, for industrial disability, effective May 25, 1977.
- b) Police Officer Gerald C. Derham, Southern Police Station, for industrial disability, effective May 26, 1977.

The communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

AUTHORIZING ATTENDANCE OF DR. NORMAN H. STEINER, POLICE SURGEON, AT THE AMERICAN ASSOCIATION OF POLICE PHYSICIANS AND SURGEONS, FIRST SCIENTIFIC SESSION AT THE FBI NATIONAL ACADEMY IN QUANTICO, VIRGINIA, FROM JUNE 5, 1977 TO JUNE 7, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Deputy Chief Mario Amoroso, Support Services, Deputy Chief Donald Taylor, Field Operations, and Captain Andrew M. Kristensen, Taraval Police Station, be detailed

to attend an Executive Development Course at Golden Gate University, Tiburon, California, from June 5, 1977 to June 17, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Deputy Chief Amoroso, Deputy Chief Taylor and Captain Andrew M. Kristensen in a sum not to exceed \$356.00 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, May 24, 1977 at 2400 hours.

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	82	87
Daily average for the week disabled	<u>90</u>	<u>96</u>
TOTALS	172	183

This is a decrease of eleven (11) members off duty daily from the previous week.

Daily percentage for the week sick	3.20
Daily percentage for the week disabled	<u>5.41</u>
TOTAL	8.61

Disabled at start of the week	92
Started during the week	15
Returned during the week	11
Disabled at end of the week	96
Net Gain or Loss	+4

SICK AND DISABLED FOR THE WEEK ENDING SATURDAY, MAY 21, 1976 AT 2400 HOURS:

Daily average for the week sick	47
Daily average for the week disabled	<u>117</u>
TOTAL	164

Daily percentage for the week sick	2.62
Daily percentage for the week disabled	<u>6.75</u>
TOTAL	9.37

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY, MAY 3,
1977 AT 2400 HOURS:

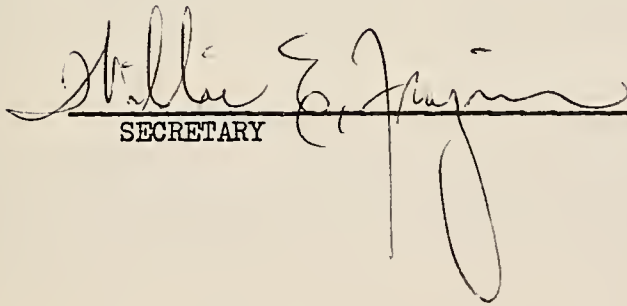
Daily average for the week sick	94
Daily average for the week disabled	<u>92</u>
TOTAL	186
Daily percentage for the week sick	4.38
Daily percentage for the week disabled	<u>5.52</u>
TOTAL	9.90

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

The Commission then adjourned its meeting.



SECRETARY

8 JUNE 1977

REGULAR MEETING

7
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, June 8, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Siggins

ABSENT: Commissioners Gallegos, Hall

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meeting of May 11, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 258-77

AUTHORIZING THE DEPARTMENT TO INSTITUTE A NEW SCHEDULE OF FEES FOR THE PROCESSING OF NON-CRIMINAL FINGERPRINTS EFFECTIVE JULY 1, 1977

WHEREAS, the Chief of Police has recommended that the Police Department adopt a resolution authorizing the Police Department to institute a new schedule of fees for the processing of non-criminal fingerprints; and

WHEREAS, pursuant to a letter from the Office of General Administration, Department of Justice, Sacramento, California, whereby they are informing us that as of July 1, 1977, there will be an increase in cost for the processing of non-criminal fingerprints; therefore be it

RESOLVED, that on the recommendation of the Chief of Police, the adoption of a resolution authorizing the Police Department to institute a new schedule of fees for the processing of non-criminal fingerprints, be, and the same is hereby approved; and be it further

RESOLVED, that effective at 0001 hours, Friday, July 1, 1977, the new schedule of fees will be as follows:

\$10.50 for non-criminal fingerprints.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission I would like to discuss with you tonight a proposed permanent order on the subject of the San Francisco Police Officers' Association use of bulletin boards and use of mailroom.

I submitted a letter to you today and I would like to review that letter with you because I am recommending that the Commission ultimately adopt a permanent order confining the use of the mailroom and distribution of material by the Police Officers' Association to that which is appropriate to an association so as specifically to preclude dissemination of unfactual information.

During the past several days the Police Officers' Association has disseminated within the Department, using our mailroom and our bulletin boards a series of bulletins, seven in number. We have responded by Information Bulletins to the first 6 reputing the allegations. The point is that all of these bulletins do contain blatantly unfactual material. They could, within the department, create general anxiety and could be believed by some number of members.

We are particularly concerned that whereas the first five bulletins pertain to internal matters, the 6th and 7th bulletins relate to persons outside of the police department. The last one relates to the subject of policy making. As for example, the Mayor, Delancy Street, Glide Memorial, People's Temple and so on, impugning in my judgement, organizations who obviously do not and have never and would not presume to influence the policy of the San Francisco Police Department.

Now the last Memorandum of Understanding that the Commissioners had with the Association had a provision which, in part, stated the Association shall be allowed to make "reasonable use" of mailroom facilities for the disbursement of Association literature, which phraseology was so broad that it permitted the dissemination and consequent posting on bulletin boards of subject matter of whatever content. Even though that Memorandum has lapsed now as of May 18th, we have in spirit and because of good faith been adhering to that provision. Hence these bulletins have gone out and presumably would in the future unless appropriate action is taken.

But as you are aware in the Commission's proposed MOU which has been submitted to the Police Officers' Association the Commission proposes restricting the material that can be disseminated by the Police Officers' Association and the posting to that which relates, for example, to the Association's recreational, social and related news bulletins. Schedule of Association meetings and information concerning association elections. The mailroom then could only be used for dissemination of that type of material.

We would have had, that is the Commission and Staff, meet and confer sessions with the POA in regards to these provisions on use of the mailroom and dissemination of material had the POA been willing to meet. But as we know, and it is a matter of record, that although the Commission has continually expressed it's willingness

in regards to meet and confer sessions at mutually agreeable times with the POA they have steadfastly refused to do so and they still maintain that posture. I feel this matter is of such grave import that I recommend to the Commission that we adopt in permanent order form the provisions of the proposed Commission MOU.

Those that I have just read, for example pertaining to bulletin boards, I would recommend to the Commission that they entertain adopting such a permanent order and that it have it's secretary send to the POA a letter containing the content of the proposed order requesting the POA to respond within 10 days if it wishes to meet and confer on the subject matter of that permanent order if it does, those sessions can take place and if it does not respond within 10 days it would be understood they do not take exception to the content of the permanent order and the Commission could then schedule the appropriate public hearing thereafter and based upon the public hearing adopt a permanent order of whatever subject content the Commission would choose to do. So I do make that recommendation to the Commission tonight."

Commissioner Siggins: Yes Chief, I recognize the fact that by the prior MOU that the Association had reasonable use of the Boards and I recognize that the word 'reasonable' can be interpreted in a lot of ways and I consider the 7 bulletins, each one of them, as being unreasonably used. As you have said, we know that they have steadfastly refused to meet with us, I don't know if the public knows that because they have been saying something otherwise. The President of the Association has said, it is my understanding that as he told his membership last night, he had not been able to meet with us. Are there any further comments?"

Mr. Eugene Chakin: "Mr. Siggins, I wonder if I might address the Commission for a moment concerning this point. Mr. Name is Eugene Chakin, People's Temple Church. We came here this evening because we are concerned about the content of this bulletin number 7. Until I heard the discussion here I did not have any idea of how this material was generated except that it had been put on my desk. We are concerned, because we do, of course, wish to protest very strongly that there are no facts to the allegations contained in here and we are especially concerned because we, that when organizations such as ours and Glide and Delancy and some others are being charged as being responsible for policy making but not only is that an affront upon ourselves but also an affront upon the Commission because I take it and I am sure that you would agree with me that the Commission sets the policy for the San Francisco Police Department and not the organizations listed in the bulletin.

I would appreciate some sort of a statement to that effect and just wish to let you know that we are concerned and we don't think this is factual and we certainly don't think it is an appropriate sort of a thing to be done and we would like some sort of a statement or correction made concerning it."

Commissioner Ciani: "We haven't as yet responded to the seventh bulletin because it came out after our response was written. I might say that my own view of policy making in the department is that this Commission has perhaps, more than any other Commission, tried to get the input of the Community because we see our job as being both to look

after the interests of the Department and to be sure that as civilians the interests of the public are taken into account in making policy decisions. So, I am not offended that this bulletin acknowledges that we listen to Community groups. I think the purpose of the police department is to serve the public and I think it is incumbent upon us as Commissioners to know what the public looks to the police department for. So the input by these groups and by all individuals in the community into policy making is appropriate. However, I would totally reject any inference that these groups are responsible for making or dictating policy.

Commissioner Siggins: "May I add the same thing, I have a feeling that it is our duty, the Commission's duty, to set the policy of the department and still recognize that any urbanologist or any well thinking persons would say that the quality of life of a city is enhanced when various elements are not left out from policy making with its suggestions to a Commission and have some participation in the various elements of the city. And we welcome any thoughts that come from Glide Memorial or People's Temple, and Delancy Street, we make the decisions but the Commissioners are open to their suggestions. This is an outgrowth of a bulletin that is put out by what is called the Board of Directors of the San Francisco Police Officers' Association. Since I have been President of the Commission I have written at least 10 letters to the Police Officers' Association asking their views on things in which we are making policy decisions. I have never written to Delancy Street, I have never written to Glide Memorial, I have never written to People's Temple, I have never written to the Bar Association, I have never written to Coyote, but I have not received any response to the letters that I have written to the Police Officers' Association to help us in making policy decisions."

Commissioner Murphy: "I have asked repeatedly to be told what the sworn personnel of this department believes or feels about a given policy. One example was the "Onlookers", or Witness" policy, but the POA leadership did not appear, nor inform us in any way what they believed with respect to that policy or others. I think there is a fundamental difference or a terrible misunderstanding, i.e., that the POA believes, or its leadership believes, they cannot discuss in public session what they believe about a given policy. We are always told that any request for discussion of a given policy is a "meet and confer" item which to them means a private session. I think almost everything this Commission has discussed has been of such a nature that it should be discussed in public. For example, there is no reason why the Onlookers policy, or for that matter the creation of the office of Citizen's Complaints, should not be discussed in public as it was, or at least we could have been told what the sworn personnel of the department feel about the policy, and why. We do not go into a private conference with other organizations, first, because we can't do so legally, but also because it isn't necessary. As a result of this attitude on the part of the POA leadership very important policies are not discussed with them and this is a real deprivation for all concerned, but mainly for the sworn personnel of this department."

Mr. Eugene Chakin: "We certainly do appreciate the Commission's position and stance as far as being open to

community input. We definitely appreciate that about the Commission and we are glad of it. The reason that we came down here is because we felt what this group was saying and said rather explicitly is that these organizations has supplanted the authority of the Commission and with Commissioner Ciani, I would certainly reject that wholeheartedly. I don't know that our organization has really had very much to do with it."

Reverend Cecil Williams: "Also, Cecil Williams from Glide, I would like to raise the question of it sounds like either I am under surveillance or that I am either being constantly through some means or some effort, followed, by every move that I make or with any person that I talk to and that some way, in some covert way, I am now participating in making sure that the policy of the Police Department is under my mandate, or under my direction, or whatever the case might be along with other groups. I think that the issue at hand has to do with something that you alluded to and that is the fact that much of what has happened in the police department through the years has been done in private. Now it is open to the public. It is now the possibility that what can be discussed and how it can be discussed not only with the community groups but along with Police Associations, we are now trying to say that this is the way it is, you are saying that, and there are those of us who have the opportunity throughout the community, throughout San Francisco, to come in and say what we have to say. Certainly I think that the time has come for us to stop putting ourselves in a position by which accusations are made against people because of groups of people because there are those people in the police officers association who feel very strongly that if they don't get their way then things are not going the way that they should in regards to the police department. The problem is the fact that to a great extent the police department has changed its direction. I have been here some 13 years, I know all of the Chief's, I have known people all along, I talked to the other chiefs a lot more. I talked to Cahill, Nelder and Scott less than I did the others, but I talked to them a lot more than I talked to Chief Gain. The same way with the Police Commission, you see. I probably have said something to one or two of you every once in awhile but that is the extent of it. Now, you know, I think that when the Police Association feels like it is getting its way then that is the time that everything is okay with them. Now it is open, its public, and I just wanted to comment for what's my opinion about the fact that I think there was a serious allegation made against us and we will have to think about some action sooner or later."

Commissioner Siggins: "Thank you Reverend Williams."

Chief Gain: "Mr. President, if I may, in regard to Commissioner Ciani's comment that we haven't responded to this, we have of course responded to the first. I really had no intention to responding to number 7 as I had to the others. I feel that number 7 is so ridiculous on its face that it doesn't need response. However, it did intensify my concern about the effect upon anxiety among policemen and that's why I am making the recommendation to the Commission that is being made tonight, that we bring this matter to an issue."

Commissioner Siggins: "Chief, I want to compliment the department on the answers to these allegations, the first 6 allegations. I don't have that thin of a hide, but Commissioner Ciani and I were mentioned in bulletin number 7 and I was mentioned in action bulletin number 5 about the Appellate Court Strikes down the loyalty oath ordinance as unconstitutional. Siggins-Gain stopped in violating Police Officers civil rights. What happened as I think you correctly pointed out is when we became part of the Commission, Proposition O which had been introduced by the Board of Supervisors was in the Ballot of November, 1975, for which Supervisor John Barbagelata wrote a special argument for in which he stated that he point clearly to the San Francisco Police Officers' Association that was involved in the strike, that there are a few officers who traded for all political power. They know full well of their hardship, the worst thing anyone can do to the people of the city is to leave them totally vulnerable to crime and disaster and he introduced this resolution which was proposition 'O' along with Proposition 'P' and 'Q'. I voted against Proposition 'O', I remember that. It was requiring the police officers to take an oath against striking. And when we came into this department, the lawyers on this Commission, Commissioner Ciani and I both questioned the constitutionality of such an ordinance and we asked the City Attorney about that and if you recall the order was not implemented. The leadership of the San Francisco Police Officers' Association know that and I find that we are not political here tonight, but I find it interesting that this particular San Francisco Police Officers' Association is now working with Supervisor Barbagelata in working out some kind of Proposition, I mean ballot measure, to be submitted to the voters on August 2nd. So it is quite a turn around to me. They know clearly what happened in connection with that loyalty oath and for them to say that we were stopped in violating civil rights is absolutely ridiculous and I don't mean to dwell on that particular one because my name was involved in it but the others have a legitimate argument against them. Like I say, I want to compliment the Department in answering them and we really appreciate the rank and file membership of the Association who read these things and see that they are lies. I would recommend the endorsement of this proposition. What we will do is put it on the calendar and tell the Police Officers' Association that we are going to consider it, give them a notice and ask them to respond within 10 days if they have any questions."

Chief Gain: "I might mention Mr. President, that Deputy Chief Mullen called a member of the Board of Directors of the Police Officers' Association and informed them today that this matter would be discussed tonight as a matter of acting in good faith so that should they choose to do so, they could have a representative here. They did not evidently choose to do that."

The Commissioners then entertained a motion to send this proposed legislation for the adoption of a permanent order regarding the use of the mailroom and bulletin boards to all associations (as recommended by Commissioner Ciani.) The motion was then approved and adopted.

Chief Gain: "That concludes my report Mr. President."

Commissioner Siggins then acknowledged a speaker from the audience.

Nancy Erickson; "My name is Nancy Erickson and I am here as a spokesperson in the International Hotel Tenants Association and I am here with several members. I called earlier to attempt to get on the extended agenda and I wanted to find out whether there was a place for us to give a short presentation to the Police Commission?"

Commissioner Siggins: "Does it pertain to a police item?"

Ms. Erickson: "I don't believe it pertains to any prior agenda item but it does pertain to police affairs and to police and community relations and it won't be very long."

Commissioner Siggins: "Go ahead."

Ms. Erickson: "Okay. I think you all probably have heard that the International Hotel has received its five day eviction notices and because this is so urgent and so pressing we came here on very short notice and we apologize for being here on so short of notice. I think our utmost concerns as members of the community are aware that this is a very unusual eviction and we are aware that the police and the sheriff's department have been working out their relationship in carrying out this eviction. At this point we have an appeal in court of the Decision by Judge Peery and we are waiting for him to sign a final decision. However, meanwhile Judge Brown has signed an eviction order which is to be carried out in 30 days so that the eviction could happen as early as Sunday. The concern that all of the elderly tenants that live in the building are bringing to you is what is going to be the role of the San Francisco Police Department in carrying out this eviction and we would like to request that there be a resolution by the Commission that the Police Department not enter the building during the eviction, that there be no weapons and that there be no sticks used during such an eviction. Because the Tenants Association and all supporters have no intention of resisting this eviction in a violent way."

Commissioner Ciani: "I would think that this is a normal police matter. We have to do what the court orders as you know and I would think that any police job like this would necessarily be carried out with regard to the safety of the people involved and I don't think it is appropriate for the Commission to presume that the Department would do other than act appropriately in carrying out the eviction which it is bound to do. I would like to hear from the Chief whether there is any possibility that there would be any inappropriate action taken."

Chief Gain: "Well, if I may, I think the issue is a request for the Commission to adopt a resolution which would, as I recall, prohibit the members of the San Francisco Police Department from entering the hotel and prohibit the San Francisco Police Department if they do become involved from carrying weapons or sticks. I think that is in issue. And I would of course state and strongly recommend to the

Commission that it not pass such a resolution. As far as members of the San Francisco Police Department conducting themselves appropriately that should be assumed contrary to other evidence and there is no other evidence."

Commissioner Ciani: "You have no present information that we might not do the job in a way that would protect the individuals involved?"

Ms. Erickson: "I think that what we are asking for is that there be a recommendation that no inappropriate action be taken."

Commissioner Ciani: "Well, that is the way that we assume that the work will be done and it wouldn't be appropriate to have a resolution to say that we will do our jobs as we should."

Commissioner Murphy: "May I ask a question? Why are you fearful, and obviously you are fearful, that the police will come in along with I assume the Sheriff's Office which of course has the primary responsibility, why are you so fearful?"

Ms. Erickson: "I feel that the Sheriff's Department should carry out its duties without the help of the Police Department at all and my feeling is that the Sheriff's Department should not carry out this eviction. I have a great concern with the Police Department becoming involved in this eviction and I think that it is totally unnecessary because I know very well that no one on the inside is going to provoke any violence. So I see this as entirely unnecessary and I am aware that, you know, there has been some planning that is done to this contingency. I am afraid that the Police Department might actually come into the building."

Commissioner Murphy: "Isn't there an agreement, Chief, between the Sheriff's Office and the Police Department on all kinds of well calamities shall we say, that one supports the other in case of need."

Chief Gain: "Well, there is no explicit agreement to that effect as a matter of law that would obtain if necessary. To the point of eviction, I think it is premature even to have this discussion, I would suggest. The obligation to evict is that of the Sheriff's Department and the Sheriff's Department will undertake as I understand, Sheriff Hongisto has stated publicly their duties appropriately in regards to that eviction. What role if any the San Francisco Police Department will have is in fact at this time an unknown if it becomes appropriate for us to be involved we will in whatever manner it is appropriate. And of course, it must be assumed, it must be taken for granted the San Francisco Police Department will act appropriately. There is no evidence to the contrary. I would submit, with due respect, that the conversation should not even continue as a request was for a resolution I don't think it is appropriate for the Commission to pass that resolution at all and I don't think that you will. I think now if I may submit respectfully we are involved in conversation based upon

speculations that are totally uncalled for."

Commissioner Siggins: "Ms. Erickson, as a member of the public you are satisfied that his matter will be carried out as you said without any problems?"

Ms. Erickson: "One last comment? During January we received a stay of eviction from Judge Brown and at that time the San Francisco Police Department stated in court that there were weapons in the hotel. It was totally repudiated, that statement, and I think that is some of where we get our feeling, that we have fears that the Police Department have in mind to enter the building based upon this kind of testimony for which there was no substantial evidence and for which there were statements later that sort of backed down from this idea and I think that this is your concern Commissioners."

Chief Gain: "For the record, I have to refute what she said, but I am becoming irritated with this conversation."

Commissioner Ciani: "What I don't understand is how you can carry out an eviction without going into the building and if you are telling us that the tenants aren't going to do anything to provoke violence then you are telling us that they will voluntarily leave when the eviction is enforced, is that correct?"

Ms. Erickson: "The intention of the tenants is to peacefully resist to be totally non-violent."

Chief Gain: "Is this being recorded for it can provide the basis later on for a charge of conspiracy."

Commissioner Siggins: "Well, there is no motion. Thanks Ms. Erickson."

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

2043 - 19th AVENUE - HILL HAVEN CONVALESCENT HOME

- a) At 2043 - 19th Avenue, install a 44' white zone, to extend from 27' - 71' south of the north property line.

3100 BRODERICK STREET - LARRY'S LINOLEUM, INC.

- a) At 3100 Broderick Street, install a 22' green zone, to extend from 10' - 32' north of Lombard - (Revoke 22' from existing 44' yellow zone for green zone.)

2598 LOMBARD STREET - LARRY'S LINOLEUM, INC.

- a) At 2598 Lombard Street, revoke existing 22' green zone.

78 HOFF STREET - GROMM SYSTEM OF CLEANING

- a) At 78 Hoff Street, install a 40' yellow zone, to extend from 18' - 58' north of south property line.

4435 GEARY BOULEVARD - DIFF'S MOVING & STORAGE

- a) At 4435 Geary Boulevard, install a 22' yellow zone, to extend from 6' - 28' west of east building line.

4056 MISSION STREET - ST. JOHN'S SCHOOL

- a) At 4056 Mission Street, revoke existing 48' white zone (22' - 70' south of north property line).

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 92 feet of yellow, green and white zones at the part of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 253-77

REEDIE BLACKMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the unlitigated claim of Reedie Blackman against the City and County of San Francisco in the sum of \$617.45 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 25, 1977

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 254-77

PAUL MAKAVECKAS

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of Paul Makaveckas against the City and County of San Francisco in the sum of \$971.87 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 21, 1977

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 255-77

REV. WILLIE J. REAGAN

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of Rev. Willie J. Reagan against the City and County of San Francisco in the sum of \$995.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: March 18, 1977

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 256-77

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$4,000 charging same to appropriation number 6.161.890.050 as an advance on the Police Narcotic Fund for the month of June, 1977.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

RESOLUTION NO. 257-77

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$3,000 charging

same to appropriation number 6.161.890.000 as an advance on the Police Contingent Fund for the month of June, 1977.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday, May 31, 1977 at 2400 hours, as follows:

	<u>PREVIOUS WEEK</u>	
Daily average for the week sick	62	82
Daily average for the Week disabled	<u>91</u>	<u>90</u>
Totals	153	172

This is a decrease of nineteen (19) members off duty daily from the previous week.

Daily percentage for the week sick	2.82
Daily percentage for the week disabled	<u>5.48</u>
TOTAL	8.30
Disabled at start of the week	93
Started during the week	10
Returned during the week	11
Disabled at end of the week	92
Net Gain or Loss	-1

SICK AND DISABLED FOR WEEK ENDING SATURDAY, MAY 29, 1976 AT 2400 HOURS:

Daily average for the week sick	53
Daily average for the week disabled	<u>116</u>
TOTAL	169
Daily percentage for the week sick	2.95
Daily percentage for the week disabled	<u>6.70</u>
TOTAL	9.65

SICK AND DISABLED FOR THE WEEK ENDING TUESDAY, MAY 10, 1977 AT 2400 HOURS:

Daily average for the week sick	100
Daily average for the week disabled	<u>94</u>
TOTAL	194

Daily percentage for the week sick	4.79
Daily percentage for the week disabled	<u>5.64</u>
✓ TOTAL	10.43

The report was ordered filed.

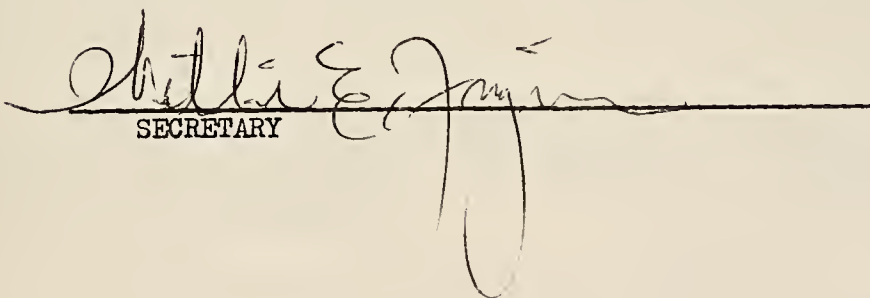
AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Gallegos, Hall

POLICE OFFICER JAMES F. STEVENS - IN MEMORIAM

A communication was received from Chief of Police Charles R. Gain officially notifying the Police Commission of the death of Police Officer James F. Stevens, Mission Police Station, who died on Saturday, May 28, 1977.

The Commission then adjourned its meeting in memory of Police Officer James F. Stevens.


SECRETARY

9 JUNE 1977

SPECIAL MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, June 9, 1977, in Special Session.

PRESENT: Commissioners Ciani, Gallegos, Murphy, Siggins

ABSENT: Commissioner Hall

DOCUMENTS

JUL 8 1977

Commissioner Siggins presiding.

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APPLICANTS FOR NEW CERTIFICATES OF PUBLIC CONVENIENCE AND
NECESSITY (SIGHTSEEING BUS PERMITS).

The matter of the applications of the following-named persons for new certificates of Public Convenience and Necessity for the operation of Sightseeing Bus Permits was called, the applications having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto.

Prior to this hearing, the Commission sent the following letter to all applicants who desired to pursue their applications for Sightseeing Bus Permits.

Dear Applicant:

Your attention is drawn to the fact that, at this time, the Police Commission has received testimony with respect to two applications for the issuance of per capita sightseeing bus permits for persons operating wholly within the City and County of San Francisco.

If you desire to pursue your application for a per capita sightseeing bus permit, which was received on _____ 1976 the following information will be necessary for consideration by the Police Commission:

1. Evidence that you are financially responsible,
2. The persons now holding permits are under efficient management and earning a fair and reasonable return on their capital devoted to this business,
3. The person now holding permits are, under normal circumstances, inadequately serving the public, and
4. You have complied with all provisions of the Municipal Code of San Francisco and/or State or Federal laws applicable to the proposed operation.

You should be aware that no certificate of public convenience and necessity can be issued until an applicant can show that he can meet the requirements of Section 1078 of the Municipal Police Code.

All written material you may wish to submit should be received by the Commission prior to June 6, 1977.

In order to expedite this matter, the taking of oral testimony shall be limited in accordance with applicable Police Commission rules.

A hearing on this matter is scheduled for Thursday, June 9, 1977, at 5:30 P.M..

Your attention is drawn to Article 16 of the Municipal Police Code regarding regulations for motor vehicles for hire.

Commissioner Siggins stated that the Commission had heard testimony and evidence from two applicants along with testimony and evidence from Greyline who is opposed to the issuance of new sightseeing permits. He stated that it had been brought to the Commission's attention that some time last year there were a number of applications for permanent sightseeing busses and that the Commission had not heard those and the Commission at this time thought that it would be proper for the Commission to send out the above mentioned letter to those still interested. He then stated that the Commission would place a limit on any presentation that might be heard. He then called the following applicants in accordance with the filing dates on their applications.

<u>Date - No. Filed</u>	<u>APPLICANTS</u>	<u>NUMBER OF PERMITS</u>	<u>APPEARED</u>	<u>REPRESENTED BY COUNCIL</u>	
7-26-76	1	Walter Hoffman	3	YES	
7-28-76	2	Roy L. Privett	4	YES	
7-28-76	3	Paul M. Louie	10	YES	
7-28-76	4	David Chang	10	YES	
7-29-76	5	Thomas McCormack	12	YES	
9-29-76	6	David A. Smith		YES	
7-28-76	7	Richard Twining	10	YES	
6-1-76	8	William Lee	5	YES	
6-1-77	9	Alan T. Smith	20	YES	
6-6-76	10	Thomas Tong	10	YES	Francis Brown
7-28-76	11	Warrend K. Miller	10	YES	David Sproul
8-13-76		D. Edward Garcia	10	NO	
7-28-76		Victor Menses	4	NO	
8-4-76		Mary M. Marson	1	NO	
7-28-76		Newton Sherwood Calhoun	10	NO	
		Charlie Alhadeff	5	NO	

The following appeared to protest the granting of additional Sightseeing Bus permits:

1. Mr. Craig McAttee, Attorney for Grayline
2. Mr. Bill Lazar, President of Luxor Cab Company
3. Mr. Edward M. Kovac, Attorney, representing
the Employees of Grayline, Chaffeur's Union.
4. Dana Matonas, Vice-President, Grayline

The following applicants have applied for sightseeing permits from July thru August, 1976, and have yet to respond with financial statements and other criteria requested by the Commission:

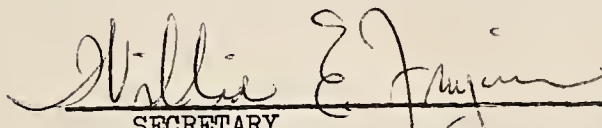
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|------------------------------|-----------------------------|
| 1. Arthur T. Holland | 18. Kenneth Marson |
| 2. A. Patruno | 19. Daniel F. McCarthy |
| 3. Harry L. Taylor | 20. William Frank Stubbe |
| 4. Carl R. Nelson | 21. Clifford Alvin Haugen |
| 5. Joseph Del Carlo | 22. John Harry Trembly |
| 6. Joe E. Haymaker | 23. Martin A. Levy |
| 7. Otto M. Neumann | 24. James O. Hebenstreit |
| 8. Tony Rose | 25. Gerald Tessum |
| 9. Larry Del Carlo | 26. Donald John Hall |
| 10. Lynne Jo Anne Warren | 27. Bipin M. Ramaiya |
| 11. Joan Del Carlo Donohue | 28. Shigeaki Suzuki |
| 12. Alan & Allan Corp. | 29. John De Campos |
| 13. Thomas Francis Callaghan | 30. Nicholas Joseph Zamucen |
| 14. Edwin E. Segura | 31. Richard W. Kline |
| 15. Holiday Tours, Inc. | 32. Ronald A. Geline |
| 16. Walter Yim | 33. Donald Jess Angus |
| 17. Gwendolyn Louise Davis | |

The hearing on the applications for new Certificates of Public Convenience and Necessity (Sightseeing Bus Permits) was continued to Wednesday, June 22, 1977, at 5:30 P.M., in the Police Commission Hearing Room, Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

The Commission then adjourned its meeting.



SECRETARY

15 JUNE 1977

REGULAR MEETING

Minutes
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, June 15, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Gallegos, Murphy, Siggins

ABSENT: Commissioner Hall

DOCUMENTS

JUL 8 1977

Commissioner Siggins presiding.

SAN FRANCISCO
POLICE DEPARTMENT

The members of the Commission, having been furnished copies of the minutes of the meeting of May 18, 1977 and May 25, 1977, the Commissioners having received copies of same.

AYES: Commissioners Ciani, Gallegos, Siggins

NOT VOTING: Commissioner Hall

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report tonight Commissioner."

Commissioner Ciani: "I wish you would tell us something about the recent activities regarding the Mitchell Brothers premises."

Chief Gain: "It was a matter of the Central Division and Captain Eimil acquiring information and making observations as to the type of activities taking place in that establishment and they determined that it was blatantly unlawful. So then they took the action that led to the arrest of those parties. They then went back last night also and as you may have heard Mitchell alleged that the activity undertaken is politically motivated, which of course it was not. It was just a matter that when the entertainment first started there it was not of such a nature as to be unlawful and it just deteriorated. I guess would be the word, so we just took routine action and it is our intention do do so in the future."

Commissioner Murphy: "I think I read in the paper that Mitchell immediately started again after the first arrest or raid or what ever it is, and then he immediately had a performance the next night."

Chief Gain: "Cleaned up. The act conformed with the law. And we are going to be sure that the act continues to conform with the law otherwise we will make arrests again."

Commissioner Gallegos: "On the question of Encounter Parlors, are we getting many complaints on this?"

Chief Gain: "The tourist season is underway of course and we are not getting, to my knowledge, the number of complaints that we received last year for example. One reason being is that we feel they are acting more in conformity with the law than they were previously. Presumably because of the ongoing activity we have had to ensure that they do comply with the law."

Commissioner Ciani: "Again on the subject that you and I talked about, the complaints that I have been receiving from the Merchants Association on Polk Street. You were planning to step up the activities there, have you any results to report?"

Chief Gain: "No. I know that additional numbers of arrest have been made based upon your talking with me and getting other reports. I had a staff meeting and we did increase our activity both from a standpoint of our application of Patrol Personnel plus the Vice Division Personnel. There is definitely a problem there and we are working on it. So there will definitely be an improvement."

Commissioner Murphy: "What was the nature of the Merchants complaints?"

Commissioner Ciani: "Well the Merchants Association pointed out that, you can see there has been a radical change in the area in the last several months. There is open notorious activity in the way of prostitution of young boys and the sale of drugs on the streets. And it's all very, very open and the Merchants are upset about the kinds of characters that are out there."

Chief Gain: "To respond to your question, Captain Bruneman called the President of the Polk Street Merchants Association and talked with them as a consequence of our conversation, so we are communicating with them and we are addressing the problem. So we will definitely get results. Polk Street as we know is experiencing a situation with increased drug sales and then increased numbers of persons and some young gays on the street to the detriment of some lawful activity there and to business people also. So we are keeping that point in mind."

Commissioner Ciani: "We had a discussion last fall about the October....."

Chief Gain: "Halloween?"

Commissioner Ciani: I know that there were other persons besides myself that suggested that there should be some planning in advance of that event next year. Has there been any such planning?"

Chief Gain: "Oh sure, we critiqued, both in regard to Halloween eve I guess it was on Halloween night, Polk Street and the Castro area we had critique meetings with representatives from both of those communities for the purpose of making plans for New Years Eve. News Years Eve of course was relatively

quiet we had little problems. So we did communicate with them and a two fold effort was undertaken, one, more immediate police presence in adequate numbers taking appropriate means to keep things peaceful and also persons from both communities committed themselves to the acumen so far as monitoring conduct and trying to dissuade persons from engaging in the harrasement type activities that has been going on. So that was done. And we have continual communication with them. For example, Captain Aufort at Mission in regard to Castro Street, meets with persons there. That is on-going. And the same with Polk that is on-going also."

Commissioner Ciani: "Well I am also concerned about the public health and safety aspects which I imagine are not really within our purview but the Committee meeting that took place should have brought up those things such as the lack of sanitary facilities, the off sale liquor sales, and the broken glass that was about a foot deep along the streets."

Chief Gain: "Well that hasn't occurred."

Commissioner Ciani: "Well it will occur next Halloween."

Chief Gain: "Well it might but we will be better prepared. What happened last time was of course in both areas that was a phenomenon that had not occurred before in either area."

Commissioner Ciani: "But it has been escalating every year, and it is safe to assume that next year it is going to be the same or more crowded...."

Chief Gain: "Yes but with the combined efforts of the police plus persons in the community it should be quiet so it would be more of a cooperative effort. One thing of course we can't control and that is persons coming from without those two communities particularly young persons who are harrassing Gays but we can influence that by police presence and so on and we will, we definitely will. We have monthly meetings of Captains in district stations who are obligated to meet with Presidents of Merchants Associations in problem areas particularly and they submit reports with a statement of the problems that were discussed and objectives undertaken to address those problems. This is to the point that we do this in an on-going way so come Halloween, very definitely before that time we will get in communications with them, be more sensitive to what the problems could be and then adopt and implement whatever plans we can to keep it quiet."

Commissioner Ciani: "We also talked about the fact that the Board of Supervisors issues a permit to block the streets and it does not condition the granting of the permit on the provision of particular trash facilities and other facilities and perhaps if the Merchants could get some kind of agreement respecting off-sale liquor establishments or some might voluntarily close down earlier or in some way prevent the massive amount of debris on the street for the rest of the night."

Chief Gain: "The question of closing down is chiefly voluntary."

Commissioner Ciani: "The Merchants have a very good organization and might be able to work something out."

Commissioner Murphy: "Could you use the same technique that was used last weekend, after the Dade County Florida vote, on Castro and Polk involving the people in the community....."

Chief Gain: "Well what happened there the first demonstration by Gay persons was on Tuesday night. That was quite a massive one where they walked to Polk and then to Castro and it was very well monitored by Gay persons, very well controlled, and the police were there too. It was spontaneous so we provided appropriate escorts for safety purposes. There was one Wednesday night, Thursday night, Friday night and they were all very peaceful and some key Gay leaders in the City, several, were present all the time and they really monitored it themselves. The police presence was only necessary for traffic control at intersections and so on, so it was a very harmonious relationship and it worked out very well."

Commissioner Ciani: "I have heard a lot of very favorable comments from people and I want to commend the members of the department who brought that off so smoothly."

Chief Gain: "Yes, I received telephone calls, several commended members of the department in regard to Tuesday night the biggest one, and I was out the last night myself and there were very, very favorable comments about the conduct of San Francisco Policemen. And very commendably for the policemen too, were Gay persons who talked with me, I think it was Saturday night, who had just recently come to California and who had been accustomed in other areas from which they came to a different type of police presence and conduct. And they were amazed at the openness of the police, the cooperativeness of the police, their attitudes, and so on, and particularly they were impressed of course with the presence of the Chief of Police at a thing like that."

Commissioner Murphy: "I think you are to be complimented and the force certainly should be complimented on the handling of themselves because it could have been a very explosive situation almost an incitement to riot."

Commissioner Ciani: "Do you expect any anti-Gay turnout at the parade on the 26th?"

Chief Gain: "Oh, it is an unknown, I don't know."

Commissioner Ciani: "But there hasn't been any mention of another demonstration?"

Chief Gain: "No. No hecklers or any other signs."

Commissioner Gallegos: "Chief I am curious about the number of request we might receive from other parts of the country on how to handle different kinds of protests. It seems like we are the

protest center of the country with loggers and Gays and you name it we seem to experience it here."

Chief Gain: "Well I think that has already occurred, I think that there is certainly an awareness I know this, ~~in~~ so far as the diversity of our communities, cultural diversity, and the fact that the police department attitudinally generally relates very well generally, they do, as we know and with all the demonstrations, we have demonstrations in concerts, we have them in Civic Center, we have them in front of the Federal Building and the State Building just virtually all of the time and as you know this year, we do not have one complaint in regards to demonstrations. The last one I can recall was last year in regards to one demonstration at a Consulate. So it is quite well known and people are very impressed that the San Francisco Police Department personnel do relate effectively. It is very commendable for police officers to do so.

Commissioner Ciani: "Well thanks for giving us a report."

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following-named person was called, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFEROR</u>	<u>TRANSFEE</u>	<u>NO. OF PERMITS</u>
Eli Watson 132 Tara Street San Francisco, Calif.	James C. Rabb, Jr. 401 Garfield St. San Francisco, Calif.	1

Route: Mission Street - Ferry to Sickles Avenue.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 264-77

POLICE OFFICER ROBERT COLEMAN, SOUTHERN POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Robert Coleman, Southern Police Station, as follows:

SPECIFICATION NO. 1

Being under the influence of intoxicating liquor to the extent of being unable to exercise police

powers. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Robert Coleman, be and the same is hereby set for Wednesday, June 29, 1977, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioners Hall

RESOLUTION NO. 265-77

HEARING OF POLICE OFFICER ROBERT COLEMAN, SOUTHERN POLICE STATION

WHEREAS, the hearing on charges filed against Police Officer Robert Coleman for violating Section 2.125 of the Rules and Procedures of the San Francisco Police Department was held on Wednesday, September 22, 1976; and

WHEREAS, the Commission at that time found that Police Officer Robert Coleman had violated Section 2.125 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, as a part of the sentence, Officer Coleman was placed on a probationary status for a period of one year with the provision that he participate in the Police Department's Alcoholic Abuse Program, and that Police Officer John Devine, Special Assistant to the Chief of Police, report to the Police Commission regarding Officer Coleman's progress and condition; and

WHEREAS, the Police Commission has been informed that Officer Coleman is now in violation of that probation: ~~therefore be it~~

RESOLVED, that the Police Commission will hold a hearing regarding Police Officer Robert Coleman's violation of probation on Wednesday, June 29, 1977, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installations of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

30 HYDE STREET - FEDERAL BUILDING

- a) At 30 Hyde Street, install a 40' blue zone, to extend from 4' - 44' north of Fulton.

701 O'FARRELL STREET - HYDE & O'FARRELL MARKET

- a) At 701 O'Farrell St., install a 22' yellow zone, to extend from 16' - 38' east of west property line.

1301 BAKER STREET - ACUPUNCTURE CLINIC

- a) At 1301 Baker Street, install a 22' white zone, to extend north from south property line.

2055 SACRAMENTO STREET - JACQUELINE COURT APARTMENTS

- a) At 2055 Sacramento St., install a 22' white zone, to extend from 9' - 31' east of west property line.

370 TURK STREET - THE MINI - STORAGE OF S.F.

- a) At 370 Turk St., install a 44' yellow zone, to extend from 23' - 67' west of the east property line.

AYES: Commissioners Ciani, Gallegos, Murphy,
Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 259-77

REQUEST TO TRANSFER FUNDS

RESOLVED, that the Controller be and he is hereby requested to transfer funds in the amount of \$130,000 from unallotted funds in appropriation 7.161.300.000.000 (Materials and Supplies) to allotted funds in appropriation 7.315.391.000.000 (Purchaser's Fuel and Lubricants) for the purchase of gasoline and oil for police vehicles at the Hall of Justice service station.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioners Hall

RESOLUTION NO. 260-77

AUTHORIZING ATTENDANCE OF POLICE OFFICERS JAMES KINAVEY, VLADIMIR KOVALEFF, DAVID O'BRIEN, THOMAS PERDUE, AND RONNEY SHEPPARD AT THE FIELD EVIDENCE TECHNICIAN TRAINING COURSE AT LONG BEACH, CALIFORNIA, FROM JULY 12 TO JULY 29, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officers James Kinavey, Vladimir Kovaleff, David O'Brien, Thomas Perdue, and Ronney Sheppard be detailed to attend the Field Evidence Technician Training Course at Long Beach California, from July 12 to July 29, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named officers in a sum not to exceed \$978.40 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 261-77

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Police Officer Michael J. Ambrose	} \$978.40 each	{ Field Evidence Technician Train- ing Course at Long Beach, California, from May 10 to May 27, 1977, inclusive.
Police Officer Kirk B. Brookbush		
Police Officer Alex E. Fagan		

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 262-77

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Lieutenant Sol P. Weiner	} \$680.00 each	{ Middle Management Training Course, Watsonville, Calif- ornia, from May 15 to May 27, 1977, inclusive.
Lieutenant Robert M. Forni		
Lieutenant Michael A. Brush		
Lieutenant Frank W. Watts		

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

RESOLUTION NO. 263-77

AUTHORIZING ATTENDANCE OF DEPUTY CHIEF CLEMENT D. DEAMICIS AT THE EXECUTIVE AND CRIMINAL INVESTIGATION FUNCTION SEMINAR IN ORLANDO, FLORIDA, FROM JUNE 22 TO JUNE 24, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Deputy Chief Clement D. DeAmicis be detailed to attend the Executive and Criminal Investigation Function Seminar in Orlando, Florida, from June 22 to June 24, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Deputy Chief Clement D. DeAmicis in attending this seminar, will be defrayed by the Police Foundation.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

WEEKLY SICK REPORT

Chief of Police Charles R. Gain submitted a report of members of the Department off duty due to sickness and disability for the week ending Tuesday June 7, 1977 at 2400 hours as follows:

		<u>PREVIOUS WEEK</u>
Daily average for week sick	71	62
Daily average for week disabled	<u>92</u>	<u>91</u>
TOTALS	163	153

There was an increase of ten (10) members off duty daily from previous week.

Daily percentage for week sick	3.35
Daily percentage for week disabled	<u>5.54</u>
TOTAL	8.89

Disabled at start of week	92
Started during week	17
Returned during week	12
Disabled at end of week	97
Net Gain or Loss	+5

SICK AND DISABLED FOR WEEK ENDING SATURDAY, JUNE 1, 1976 AT 2400 HOURS

Daily average for week sick	42
Daily average for week disabled	<u>112</u>
TOTAL	154
Daily percentage for week sick	2.32
Daily percentage for week disabled	<u>6.53</u>
TOTAL	8.85

SICK AND DISABLED FOR WEEK ENDING TUESDAY, MAY 17, 1977 AT 2400 HOURS

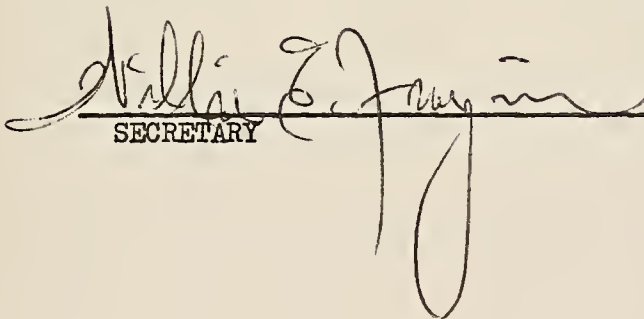
Daily average for week sick	87
Daily average for week disabled	<u>96</u>
TOTAL	183
Daily percentage for week sick	4.14
Daily percentage for week disabled	<u>5.48</u>
TOTAL	9.62

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Murphy, Siggins

NOT VOTING: Commissioner Hall

The Commission then adjourned its meeting.


SECRETARY

DOCUMENTS

JUL 2 1977

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Minutes
22 JUNE 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, June 22, 1977 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

Commissioner Siggins presiding.

The members of the Commission, having been furnished copies of the minutes of the meetings of June 1, 1977 and June 8, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, Members of the Commission, I would like to comment on two items tonight, one, last week there was a brief discussion initiated by the Commissioners in regards to persons demonstrating in the front of Consulates and I have the U.S. Code Sections that seem to apply to anyone who parades, demonstrates or speaks or whatever, in front of a Consulate. But the main point is that in the near future there will be a meeting among representatives of police departments, U.S. Attorney's Office, District Attorney's Office's to talk about the application of this law and also about the jurisdiction of matters when there are problems in front of the Consulates in San Francisco. And then after that meeting, which I anticipate within the next couple of weeks, I will submit a report on that from the meeting."

Commissioner Ciani: "Is this meeting going to result in a legal opinion that the Department will rely upon as to what activity is covered by the Federal Statute?"

Chief Gain: "Yes, in part. One thing we want to clear up is jurisdictional matters, that is, when persons for example sitting at Consulates, will Federal Law apply and will Federal Authorities take action, or will State Law be applied and San Francisco Police Department become involved? These are constant matters in issue. We had one today for example. So we want to get that clarified and also talk about this particular law too. I think it has been raised in

the past, is this constitutional, given the first amendment right to demonstrate. So we will be talking about that, get all of these areas inasmuch as we can, cleared up."

Commissioner Ciani: "Is there a sufficient number of Marshalls in the area so that they do enforce Federal Law in the City and County of San Francisco?"

Chief Gain: "In regard to these matters?"

Commissioner Ciani: "These and other matters."

Chief Gain: "Well other matters, but in regard to the Consulates, there are usually personnel of the San Francisco Police Department who gets involved."

Commissioner Ciani: "Are they called in by the Federal Authorities or are they.....?"

Chief Gain: "Well, we have about 63 Consulate Corps Offices here and we have constant liason between the unit from the police department and consulate officials who may have any type of problem. This goes on everyday. And then when particular matters come up then the jurisdiction question can arise given a demonstration or some problem within a Consulate. So the purpose of the meeting is to talk about particular things such as demonstrations and special potentialities, who will become involved? Will the Federal Authorities become involved or only local authorities? And the pattern has been in the past according to reports from staff that usually it is a matter of Federal Authorities saying, 'Let the locals do it.' So we just want to get clarification. We have very amicable relationships but clarity is called for."

Commissioner Murphy: "Well, if they have enough manpower it may be good for them to do it, because we certainly don't have the men, 63 Consulates? Of course, they are not all in trouble all of the time."

Chief Gain: "Oh no, I didn't mean to imply that."

Commissioner Murphy: "Oh, I know."

Chief Gain: "We initiated the meeting so we are kind of desirous too of sharing personnel."

Commissioner Siggins: "That is a good idea Chief,

who is the meeting going to consist of again, Chief?"

Chief Gain: "Representatives from the U.S. Attorney's Office and the District Attorney's Office and the Police Department and of course, whatever other Federal or Local agency personnel as may be appropriate. The other comment; you received the crime summary for last month and as you are aware, it reflects a five point, 1 percent decrease in crime for the period of January through May of 1977 compared to the same period last year and particularly impressive are the decreases in Forcible Rape of 15%, Robbery 19%, Burglary down 14% and Larceny 3%. Now we have a 5 months trend. So it does speak well for the efforts of the Police Personnel and it is my opinion that it is not just a matter of displacing crime from one geographical area within the City of San Francisco, but rather affecting through police and citizens efforts an actual decrease. And I say that for the reason that our Street Crime Unit which has had such significant input to decreases in crime, has been working in areas such as the Tenderloin, Western Addition, in the inner and outer Mission where we have some real problems. So that persons who were committing crimes in those areas, one, have been arrested in great numbers, and secondly, are not committing them. So I just thought I would read them to you. And I might say of course, in addition to our continuous goal of affecting serious crime as much as we can and getting citizens involvement, that we also take police action in regard to other matters such as disturbances in Union Square. End of my report."

Mr. Robert Franchi: "Commissioners, I don't know if this is right or not, I was gonna ask the Chief if he would explain, and I know Chief that it has only been about three days since you have taken action on the illegal vans and I think you should tell the Commission about what your position is because most of the crooks are in this room. Crooks, Bandits or any word you want to use. I believe are in this room. But anyway, I wrote a letter to the District Attorney of which you will get a copy tomorrow morning and also you should try to get the District Attorney to prosecute once the police has taken action. I have also sent a copy to the Mayor. So I hope this gets some action so if you arrest they will indeed prosecute."

Commissioner Siggins: "I didn't really understand what you are saying, Mr. Franchi, it is no reference to the Frisbee playing, is it?"

Mr. Franchi: "No, I left it outside, they wouldn't let me bring it in. But I was asking the Chief if he would tell the Police Commission as well as some of the interested parties here what is happening on the illegal vans and the illegal limos that are operating on a per capita basis."

Chief Gain: "Well, what's happening and the Commission's aware, we've had complaints about illegal operations, so in addition to our Taxi Detail from the Permit Bureau, we also now have some other police personnel not always in uniform taking enforcement action. Is that to the point? Now as to what is happening after the police take action as far as the District Attorney is concerned, I have no knowledge, nor do I have a comment about that."

Commissioner Siggins: "Okay, well do you have anything more Chief to report?"

Chief Gain: "No sir."

Commissioner Siggins: "Does the Commissioners have any questions?"

Commissioner Gallegos: "Chief, on the jurisdiction of the Golden Gateway Recreation area, are they policing the beach and those areas that they absorbed into the Park network or do we still have some responsibility for those?"

Chief Gain: "Well, right now I guess a large part is concurrent jurisdiction, concurrent jurisdiction so that they police it and we also police it and that matter has been under discussion now for 15 months. In process now is a Billing to the Federal Authorities for police services rendered. How far that is going to get I don't know but it has been a continual problem of concern. The hope is that they would formally take over and identify all of those Federal lands."

Commissioner Murphy: "Have you sent a Bill to the Federal Government?"

Chief Gain: "Well right now we are not quite at that point. But some action is underway to accomplish that."

Commissioner Murphy: "About how much do you think it will come to over a years time?"

Chief Gain: "I have no idea, I could get that information for you."

Commissioner Murphy: "Well it isn't a high priority, but I think it is worth reviewing."

RESOLUTION NO. 272-77

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
(JITNEY BUS PERMIT) HEARING TO REVOKE - CONTINUED
OFF CALENDAR FOR ONE YEAR.

WHEREAS, there was granted to Mr. Inocencio P. Bendo on September 30, 1971, a permit and/or license for the operation of one (1) jitney bus; and

WHEREAS, pursuant to an investigation conducted by the Vehicle Inspection Detail of the San Francisco Police Department, the Chief of Police was advised that Inocencio P. Bendo was not operating his jitney bus and had not so operated said vehicle for a period in excess of ten (10) consecutive days and was, therefore, in violation of the provisions of Section 1079 of the Police Code; and

WHEREAS, Mr. Inocencio P. Bendo appeared before the Police Commission on Wednesday, June 22, 1977, and requested that he be allowed an extension to buy a van and obtain a Class 2 drivers license; and

WHEREAS, the Police Commission feels that an extension of one (1) year would be sufficient time to allow Mr. Bendo to buy a van and obtain a Class 2 drivers license and put his jitney bus permit into operation; therefore be it

RESOLVED, that the request of Mr. Bendo for an extension to buy a van and obtain a Class 2 drivers license for the operation of his jitney bus permit, be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 273-77

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
(JITNEY BUS PERMIT) HEARING TO REVOKE - CONTINUED
FOR THIRTY (30) DAYS.

WHEREAS, there was granted to Mr. Askor K. Shankar on December 27, 1974, a permit and/or license for the operation of one (1) jitney bus; and

WHEREAS, pursuant to an investigation conducted by the Vehicle Inspection Detail of the San Francisco Police Department, the Chief of Police was

advised that Askor Shankar was not operating his jitney bus and had not so operated said vehicle for a period in excess of ten (10) consecutive days and was, therefore, in violation of the provisions of Section 1079 of the Police Code and had failed to pay his yearly taxes to the City and County of San Francisco, and was therefore in violation of Section 1094 of the Municipal Police Code; and

WHEREAS, the Police Department has been unable to locate Mr. Askor K. Shankar; and

WHEREAS, the Police Commission feels that a thirty (30) days extension should be granted to permit the Police Department time to locate Mr. Askor K. Shankar so he may be granted a hearing as to why his jitney bus permit should not be revoked; therefore be it

RESOLVED, that the Police Department's request for an extension of time to locate Mr. Shankar, be, and the same is hereby approved.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 274-77

HEARING OF POLICE OFFICER CRAIG PIRO, BUREAU OF SPECIAL SERVICES.

WHEREAS, the hearing of Police Officer Craig Piro was called, it having been set for this date; and

WHEREAS, Mr. Stephen Bruce Bley, Attorney at Law, who is representing Police Officer Craig Piro, has requested a continuance of this matter as the case is still pending before the Courts; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Craig Piro is set for Wednesday, July 27, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

RESOLUTION NO. 275-77

HEARING OF POLICE OFFICER ROBERT RODRIGUEZ, BUREAU OF SPECIAL SERVICES.

WHEREAS, the hearing of Police Officer

Robert Rodriguez was called, it having been set for this date; and

WHEREAS, Mr. Stephen Bruce Bley, Attorney at Law, who is representing Police Officer Robert Rodriguez, has requested a continuance of this matter as the case is still pending before the Courts; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Robert Rodriguez is set for Wednesday, July 27, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Gallegos, Hall, Murphy, Siggins

CONFLICT OF INTEREST CODE OF THE SAN FRANCISCO
POLICE DEPARTMENT - CONTINUED ONE WEEK.

Commissioner Ciani: "I have some questions about this. We took this matter up before. We had a model code that was very deficient and then there were some meetings with the City Attorney and is this the result?"

Officer Mike Seybold, Legal Office: "Yes, that is correct."

Commissioner Ciani: "Is this what is being floated by the City Attorney for all Commissions and Boards?"

Officer Seybold: "This particular code was written specifically for the police department, based on guidelines issued by the City Attorney and the Clerk of the Board of Supervisors who had meetings with the Fair Political Practices Commission. Based on their outline of guidelines for all city departments and commissions, we came up with this particular version, including all of the definitions and all of the requirements that are needed based on the Government Code Section and the City Charter and the guidelines submitted by the Fair Political Practices Commission."

Commissioner Ciani: "There is nothing in the law that treats this Department separately from other Departments; so, what changes in here are tailored to this Department, can you point them out?"

Officer Seybold: "Recently the tailoring occurred in the definition of who are designated employees and in the determination of what categories they must disclose based on what is written in the Government Code."

Further discussion was held and Commissioner Ciani stated that it is very difficult to comply with category 3 of the proposed code where you have to anticipate and list entities that might in the future do business with the department. Mr. Arthur Schartis, Attorney for Mr. David Gilmartin, Sightseeing applicant and a member of the Bart Board, stated that his people had the same problem and were worried about the same language in the code. He suggested that it be amended by adding the words reasonably and foreseeable because it appears to have an abstract standard that some company in which a person owns stock some day does business with a district and doesn't disclose it, he might be liable and they felt that it had to be a reasonable standard. Mr. Schartis further stated that it was their understanding that each entity is required to determine it's own code and proposes its code to the Fair Political Practices Commission, they then negotiate and agree with the terms arrived at in each case. He stated, he didn't believe the department would have any trouble in putting in a standard of reasonableness.

Commissioner Siggins stated that he thought that adding those words was a good idea.

Mr. Schartis stated that they went over their code very thoroughly and would send the Commission a copy for their perusal.

The matter was then continued for one week.

PUBLIC HEARING TO DETERMINE IF PUBLIC CONVENIENCE
AND NECESSITY EXISTS FOR THE ISSUANCE OF SIGHTSEEING
BUS PERMITS.(CONTINUED FROM MEETING OF JUNE 9, 1977)

The matter of the hearing on applications for new Certificates of Public Convenience and Necessity for the Operation of Sightseeing Busses was called, it having been continued from the meeting of June 9, 1977.

The Police Commission resumed its hearing on applications of the following-named persons for new Certificates of Public Convenience and Necessity for the operation of Sightseeing Busses:

Mr. Bill Armstrong, Attorney for Gray Line, and Associate of Mr. Craig McAtee: "Before we get started, I believe at the last meeting, Mr. McAtee gave you some financial statements for Gray Line and that they have had an accountant, Mr. Rotenberg here for several weeks and if the written material is adequate he would like to get that matter out of the way and let Mr. Rotenberg leave. He stated

that the purpose of presenting that was because one of the findings that is required by the code is that the existing permit holders are making a fair and reasonable return."

Commissioner Ciani then stated to Mr. Armstrong that he had been granted additional time to present some kind of response to the testimony that has already been submitted. She then asked him how much time he planned on taking to make his presentation.

Mr. Armstrong stated that he would take only 10 or 15 minutes.

Mr. Schartis, attorney for Mr. David Gilmartin, Sightseeing applicant, at this time requested if he could have just a couple of minutes after Mr. Armstrong's presentation.

Mr. Alexander Anolik, attorney for San Francisco Hosts, stated that if Mr. Rotenberg was to be dismissed and the Commission intended to accept this statement, he would request he be allowed to ask one or two questions of Mr. Rotenberg regarding the objections of his client who heartily contest that which they (Gray Line) are trying to attest in their statement.

Mr. James Klapp, attorney for Lorries Travel and Daniel McCarthy, then interrupted and stated that his clients had been unable to present their case and that he filed his clients financial statements with the Commission Office this date. He stated that his clients had appeared on June 9, 1977, but did not have current financial statements and chose not to make a presentation at that time. He stated now they are ready to go ahead with a short presentation. He stated that Lorries Traveling Tours and Daniel McCarthy both at the time filed their applications 6 months or so ago, each requested 10 permits. He stated that he was now representing both and that they have combined forces and determined that together they would be able to operate 10 busses and are foregoing the other 10.

The Commission then allowed him to make his presentation.

After Mr. Klapp finished his presentation, Mr. Randall Pacinto, attorney for Mr. Tim O'Connor, stated that he appeared very briefly at the last hearing for O'Connor Limousine Service. He stated that he would like at this time to submit to the Commission a statement of the position of the O'Connor Limousine Service and the Police Commission may or may not know that his client has on file with the Public Utilities Commission, right now, an application which is now pending for Sightseeing Tour Service and one of the Sightseeing Tours involved is a San Francisco Sightseeing City Tour.

He stated that a financial statement for O'Connor Limousine was submitted for the prior hearing and other exhibits are attached to this statement which explains the service O'Connor Limousine could offer for the Sightseeing Tour public of the City. He stated that he hoped these exhibits makes clear that they are prepared to operate a substantial Sightseeing Tour Service.

Commissioner Siggins then called up Mr. Armstrong to continue with his presentation.

Mr. Armstrong stated that he would call upon Mr. Rotenberg to give testimony at this point since he was anxious to let him go. He then stated that to set the pertinence of all of this he was inviting the Commission's attention to the provisions of Section 1076b which requires among other findings that the Commission finds that the persons holding permits are under efficient management earning a fair and reasonable return on their capital devoted to the service and that is why they were getting into this testimony at this point. Mr. Rotenberg then presented a statement to the Commissioners of which Mr. Armstrong commented that the conclusion essentially stated in Mr. Rotenberg's written remarks are to the effect that at the present time the Gray Line operation is not earning a fair and reasonable return and that they are under efficient management and have diminished returns due to other causes.

Witnesses for Gray Line

Mr. Bernard Rotenberg, Certified Public Accountant
Mr. James Mulpeters, President, Gray Line, Inc.

The following attornies then gave a summary of what their individual positions were in respect to their clients, their operations and Gray Line's current position and operating procedures.

Mr. Alexander Anolik, representing San Francisco Hosts.
Mr. Arthur Schartis, representing Mr. David Gilmartin.

Mr. Bill Armstrong and Mr. Robert Franchi made brief summarizations on behalf of Gray Line.

Commissioner Siggins then stated that the matter of Applications for the issuance of Sightseeing Permits has now been submitted and is taken under advisement.

(The entire matter was taker in shorthand form by Carol Fusco, C.S.R., of Schiller & Combs - 673-7748)

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

576 FOLSOM STREET - PIONEER PHOTO LAB

- a) At 576 Folsom Street, install a 34' yellow zone, to extend west of east property line - and revoke existing 34' green zone.

5499 CALIFORNIA STREET - (FORMERLY JEWEL CITY MARKET)

- a) At 5499 California Street, revoke existing 36' green zone.

939 IRVING STREET - PETER PAN NURSERY SCHOOL

- a) At 939 Irving Street, install a 22' white zone, to extend west of east property line - Also remove parking meter IRVING - 929.

814 CLEMENT STREET - BUTLER FURNITURE CO.

- a) At 814 Clement Street, install a 22' yellow zone, to extend from 11' - 35' west of the east property line.

651 - SIXTH STREET - FRANK MCCOPPIN SCHOOL

- a) At 651 - Sixth Street, install a 22' yellow zone, to extend from 70' - 92' north of the south property line.

1717 HARRISON STREET - CANNED FOODS, INC.

- a) At 1717 Harrison Street, install a 30' green zone, to extend from 46' - 76' south of the north building line. (An extension).

6258 THIRD STREET - EARL'S INTER CITY RECORD SHOP

- a) At 6258 Third Street, install a 22' green zone, to extend south from north building line.

102 PARK STREET - ROSS-DOVE CO. - (AUCTIONEERS)

- a) At 102 Park Street, install a 24' yellow zone, to extend east of west property line.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 70 feet of green zones, at various parts of the City at the locations submitted, be, and the same are hereby approved.

RESOLUTION NO. 266-77

CALIFORNIA CASUALTY INSURANCE CO.
(JOHN WARD)

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of California Casualty Insurance Company (John Ward) against the City and County of San Francisco in the sum of \$401.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: March 5, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 267-77

CALIFORNIA STATE AUTOMOBILE ASSOCIATION
(GLORIA TONG)

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of the California State Automobile Association (Gloria Tong) against the City and County of San Francisco in the sum of \$1,244.43 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: March 27, 1977

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Sergeant Donald A. Lemstrom, Personnel Bureau, for service, effective May 31, 1977.
- b) Inspector Willie E. Johnson, Bureau of Inspectors, for industrial disability, effective July 27, 1977.

The communications were ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 268-77

AUTHORIZING ATTENDANCE OF POLICE OFFICERS JAMES KINAVEY, VLADIMIR KOVALEFF, LORIN DUBOUR, THOMAS PERDUE AND RAYMOND CARLSON, AT A FIELD EVIDENCE TECHNICIAN TRAINING COURSE AT LONG BEACH, CALIFORNIA, FROM JULY 12, 1977 TO JULY 29, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officers James Kinavey, Vladimir Kovaleff, Lorin Dubour, Thomas Perdue and Raymond Carlson, be detailed to attend the Field Evidence Technician Training Course at Long Beach, California, from July 12, 1977 to July 29, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named officers in a sum not to exceed \$978.40 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 269-77

AUTHORIZING ATTENDANCE OF LIEUTENANT ARTHUR O'KEEFE, CRIME SPECIFIC TASK FORCE, AT THE CIVIL EMERGENCY

MANAGEMENT TRAINING COURSE AT SAN LUIS OBISPO,
CALIFORNIA, FROM AUGUST 21, 1977 TO AUGUST 26,
1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Arthur O'Keefe, Crime Specific Task Force, be detailed to attend the Civil Emergency Management Training Course at San Luis Obispo, California, from August 21, 1977 to August 26, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Arthur O'Keefe, Crime Specific Task Force, in a sum not to exceed \$275.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

RESOLUTION NO. 270-77

AUTHORIZING ATTENDANCE OF ASSISTANT INSPECTORS
THOMAS GERARD AND STEPHEN GUDELJ, AT A NARCOTICS
INVESTIGATION TRAINING COURSE AT THE CALIFORNIA
DEPARTMENT OF JUSTICE ADVANCED TRAINING CENTER,
SACRAMENTO, CALIFORNIA, FROM JULY 18, 1977 TO
JULY 29, 1977, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Assistant Inspectors Thomas Gerard and Stephen Gudelj, Narcotics Bureau, be detailed to attend the Narcotics Investigation Training Course at the California Department of Justice Advanced Training Center, Sacramento, California, from July 18, 1977 to July 29, 1977, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Deputy Chief of Administration Kevin J. Mullen and Inspector Cecil Pharris, in a sum not to exceed \$133.50 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

WEEKLY SICK REPORT

Chief of Police Charles R. Gain, submitted a report of members of the Department off duty due

to sickness and disability for the week ending Tuesday, June 14, 1977, as follows:

		<u>PREVIOUS WEEK</u>
Daily average for the week sick	69	71
Daily average for the week disabled	<u>88</u>	<u>92</u>
TOTALS	157	163

This is a decrease of six (6) members off duty daily from the previous week.

Daily percentage for the week sick	3.24
Daily percentage for the week disabled	<u>5.30</u>
TOTAL	8.54

Disabled at start of week	93
Started during the week	11
Returned during the week	11
Disabled at the end of week	93
Net Gain or Loss	0

SICK AND DISABLED FOR WEEK ENDING SATURDAY, JUNE 9, 1976 AT 2400 HOURS:

Daily average for the week sick	42
Daily average for the week disabled	<u>112</u>
TOTAL	154
Daily percentage for the week sick	2.32
Daily percentage for the week disabled	<u>6.53</u>
TOTAL	8.85

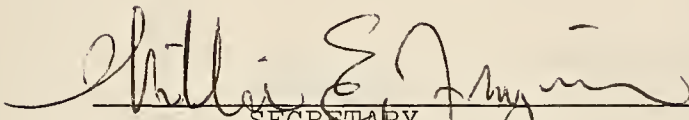
SICK AND DISABLED FOR WEEK ENDING TUESDAY, MAY 24, 1977 AT 2400 HOURS:

Daily average for the week sick	87
Daily average for the week disabled	<u>96</u>
TOTAL	183
Daily percentage for the week sick	4.14
Daily percentage for the week disabled	<u>5.48</u>
TOTAL	9.62

The report was ordered filed.

AYES: Commissioners Ciani, Gallegos, Hall,
Murphy, Siggins

The Commission then adjourned its meeting.



SECRETARY

29 JUNE 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, June 29, 1977 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Hall, Murphy,
Siggins

ABSENT: Commissioner Gallegos

DOCUMENTS

Commissioner Siggins presiding.

SAN FRANCISCO
PUBLIC LIBRARY

The members of the Commission, having been furnished copies of the minutes of the Special Meeting of June 9, 1977 and the Regular meeting of June 15, 1977, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "The only comment I have by way of report is, Sunday, substantial numbers of police, several hundred, were involved in peace keeping at a parade. I wish Deputy Chief Mullen were here because I wanted to commend him and I will in his absence. He was the individual that was in charge of getting together an operational plan, actually the first written operational plan the department has ever had for that type of an event and Chief Mullen spent many hours along with other staff and you know well the whole police effort went very successful for it was a very peaceful parade. I just wanted to comment on that. We did acquire a lot of experience as far as operational planning for the police."

Commissioner Ciani: "I have had several comments made to me and Commissioner Murphy said she has received compliments from many people who were involved in that parade or observed it and they were all extremely complimentary of the way that it was handled by the Police Department. And I think we should commend all of the members of the Department who took part in that for the excellent work that they did."

Chief Gain: "If you want to specify two individuals, I recommend that you commend particularly Deputy Chief Kevin Mullen and Commander Agustius Bruneman, two individuals who literally spent hours and hours on planning."

Commissioner Murphy: "I would like to do that, but I would also like to commend the personnel of the Department. Actually, I have asked some of my friends who have mentioned it that they should write to you or to the Commission and tell why they thought it was so well handled. It was certainly a critical and very explosive situation."

Chief Gain: "I have recently received about 5 letters commending the police department and mentioning the conduct of police personnel."

Commissioner Murphy: "Should this be done in a resolution?"

Commissioner Ciani: "I was thinking that we could write a letter to the men, Deputy Chief Mullen and Commander Bruneman, complimenting them and ask them to convey our personal congratulations to all of their men."

Chief Gain: "And I don't want to overlook Commander Seghy also. Basically, we started with a traffic plan for the parade with Captain Seghy and his staff who worked very hard on that."

Commissioner Siggins: "I recognize that the plans were set beforehand Chief. You went out to meetings to keep things in order and it worked out alright. The functional thing was carried out on that day by the sworn personnel with excellent professionalism from what we have all heard."

Commissioner Ciani: "I think something we can be particularly proud of is the image that the Department conveyed to people from out of town. A lot of gay people from out of town who are here and who aren't accustomed to having such cooperation from police in their own cities, were very impressed with the way that this Department functions."

Chief Gain: "I almost had to take out my star to prove to people that I was the Chief of Police. They didn't believe that the Chief of Police would be on the scene and so on, for that type of thing. That is the end of my report."

TRANSFER OF TAXILAB PERMITS - APPROVED

The matter of the transfer of the right to

operate taxicabs by the following-named persons was called, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The Transferees and Transferors appeared in person and were represented by counsel. The Commission approved the transfer of whatever rights, titles or interests that the within-named transferors might have to operate taxicabs to the within-named transferees; said approval contingent upon the transferees filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

<u>TRANSFERORS</u>	<u>TRANSFeree</u>	<u>NO. OF PERMITS</u>
Carl Lee and Hayward Wong 1536 Pacific Avenue San Francisco, California	Carward Enterprises, Inc. 1536 Pacific Avenue San Francisco, California	6

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RECOMMENDATIONS OF THE AWARDS COMMITTEE

Commissioner Murphy: "I had the honor and pleasure of Chairing this particular Awards Committee. It is the first one that I have been able to attend and it was a very, very inspiring situation.

I was particularly interested (and I think it is something for the citizens to take note of) in the fact that 5 of the 12 incidents involved psychotics or addicts who acted in a psychotic manner, making for a very dangerous situation for these officers to meet.

I think another thing that interested me and I know it did the Captains because they had several questions on it, was that about three of the men who were apprehended and taken to court were immediately put out on probation and one of them then killed his wife about two weeks later. I think it is something that we must work on, I don't know how we would do it, but our probation system isn't working and it is a terrible waste not only of manpower and money it is a terrible waste of human life.

People are apprehended, adjudged guilty, and then are put on probation. They are very, very sick people, they are psychotic and dangerous people. I just think we must someday address ourselves to it if not as a Police Commission then certainly as citizens of this state.

I understand that part of it is a state requirement with local jurisdictions that in so far as possible to take care of their own criminals and problems via probation rather than sending them to State facilities. Maybe we have to build some more facilities, but something should be done.

There are two other items upon which I would like the Commission to agree with me. Officer William H. Warnke came within one vote of receiving a Silver Medal. He faced a psychotic armed and masked criminal in a 4th floor apartment and was able to disarm him without any danger to either the occupants of the apartment or to himself, he got the man out and was able to arrest him. The second incident involved two officers who came within one vote of receiving a Silver Medal, Officers Emile E. Fortenberry and Dale L. Smith, and again, they arrested without anyone getting injured or killed, three armed robbers in a grocery store, one of whom was a woman who was in the rear and out of sight of the officers until they discovered her during their investigation, subsequently bringing all of them under control. I would like to recommend that they also receive Silver Medals instead of Bronze."

Commissioner Siggins: "The motion is for Police Officers William H. Warnke, Emile E. Fortenberry and Dale L. Smith to have their awards upgraded from a Bronze Medal of Valor to a Silver Medal of Valor."

Commissioner Hall: "Second."

Commissioner Siggins: "All in favor?"

Commissioner Siggins: "Thank you Commissioner Murphy for Chairing the Awards Committee. I think we should schedule a time to make the presentation for the Awards."

The date for the presentation of the Awards was subsequently set for July 20, 1977, at 5:30 p.m., in the Commission Hearing Room, Room 551.

RESOLUTION NO. 305-77

RECOMMENDATIONS OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor - Silver Medal, and Bronze Medal, under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department as approved by the Awards Committee on

Friday, June 24, 1977:

Police Officer Robert L. Dryden....Silver Medal of Valor
Police Officer Alex E. Fagan.....Silver Medal of Valor
Police Officer Patrick G. Henry....Silver Medal of Valor
Police Officer Edward W. McMills...Silver Medal of Valor
Police Officer Lee A. McVeigh.....Silver Medal of Valor
Police Officer Richard R. Weick....Silver Medal of Valor
*Police Officer Emile E.
Fortenberry.....Silver Medal of Valor
*Police Officer Dale L. Smith.....Silver Medal of Valor
*Police Officer William H. Warnke...Silver Medal of Valor
Police Officer William F. Boniface.Bronze Medal of Valor
Police Officer Charles E.
Brewster, III....Bronze Medal of Valor
Police Officer Robert J. Cardinale.Bronze Medal of Valor
Police Officer Michael E. Connors..Bronze Medal of Valor
Police Officer Thomas A. Crawford..Bronze Medal of Valor
Police Officer Thomas J. Gerard....Bronze Medal of Valor
Police Officer Jacklyn M. Jehl.....Bronze Medal of Valor
Police Officer Ronald P. Kern.....Bronze Medal of Valor
Police Officer Sanford J.
Richterman.....Bronze Medal of Valor
Police Officer Charles R. Robinson.Bronze Medal of Valor
Police Officer Arnold E. Strite....Bronze Medal of Valor
Police Officer Lamont W. Suslow....Bronze Medal of Valor
Police Officer Martin J. Walsh.....Bronze Medal of Valor
NOTE: *Changed from Bronze Medals of Valor to Silver
Medals of Valor on recommendation of the
Police Commission.

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 306-77

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following-named members of

the Police Department have been commended for courageous service under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Friday, June 24, 1977; and

WHEREAS, Chief of Police Charles R. Gain has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Police Officers Robert L. Dryden, Alex E. Fagan, Patrick G. Henry, Edward W. McMills, Michael W. McNeill, Lee A. McVeigh, Richard R. Weick, Emile E. Fortenberry, Dale L. Smith and William H. Warnke, be, and they are hereby awarded Silver Medals of Valor and granted a reward of \$100.00 each as provided for under said section of the Charter; and be it further

RESOLVED, that Police Officers William F. Boniface, Charles E. Brewster, III., Robert J. Cardinale, Michael E. Connors, Thomas A. Crawford, Thomas J. Gerard, Jacklyn M. Jehl, Ronald P. Kern, Sanford J. Richterman, Charles R. Robinson, Arnold E. Strite, Lamont W. Suslow and Martin J. Walsh, be, and they are hereby awarded Bronze Medals of Valor and granted a reward of \$50.00 each as provided for under said section of the Charter.

AYES: Commissioners Ciani, Hall, Murphy, Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 307-77

HOLD HARMLESS AGREEMENT WITH PACIFIC GAS AND ELECTRIC COMPANY AND BANK OF AMERICA.

WHEREAS, the Police Department is in need of supplemental vehicles to aid in the investigation of and apprehension of persons engaged in street crimes; and

WHEREAS, the Pacific Gas and Electric Company and the Bank of America have offered to allow the department to use vehicles supplied by them in exchange for a Hold Harmless Agreement; therefore be it

RESOLVED, that the following proposed ordinance which provides for a Hold Harmless Agreement between the San Francisco Police Department and Pacific Gas and Electric Company and the Bank of America for the use of loaned vehicles is hereby transmitted to the Board of Supervisors for adoption:

AMENDED CHAPTER I, SAN FRANCISCO ADMINISTRATIVE
CODE, BY ADDING SECTION 1.25 THERETO, RELATING
TO A HOLD HARMLESS AGREEMENT WITH PACIFIC GAS
AND ELECTRIC COMPANY AND BANK OF AMERICA.

Be it ordained by the People of the City and
County of San Francisco:

Section 1. Chapter I, San Francisco Admin-
istrative Code, is hereby amended by adding Section
1.25 thereto, reading as follows:

Section 1.25. Hold Harmless Agreement with Pacific
Gas and Electric Company and Bank of America.

The Police Commission is hereby authorized to enter
into a Hold Harmless Agreement with the Pacific Gas
and Electric Company and with the Bank of America for
the purpose of obtaining vehicles for the police
department's Street Crimes Unit. The agreement shall
be for vehicles on loan from the two private firms,
copies of which are on file with the Clerk of the
Board of Supervisors in file number_____.

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

CONFLICT OF INTEREST CODE OF THE SAN FRANCISCO POLICE
DEPARTMENT (CONTINUED FROM MEETING OF JUNE 22, 1977)

Commissioner Siggins stated that the Commission had
received the recommended amendment to the Department's
Conflict of Interest Code from Officer Mike Seybold.
It was suggested at last week's meeting by Mr. Arthur
Schartis, attorney and member of the Bay Area Rapid
Transit Board that the Department's Conflict of In-
terest Code be amended by adding a reasonable and fore-
seeable clause to category 3 of the code. A copy of
the Model Ordinance that the Department based its
argument upon was also given to the Commission. Police
Officer Paul Chignell representing the Police Officers'
Association was then acknowledged by Commissioner
Siggins as having requested to speak.

Officer Chignell stated that the Police Officers'
Association would like to meet and confer with the

Commissioner on the Conflict of Interest Code before any legal action is taken by the Commission. He stated that the POA agreed wholeheartedly with a Conflict of Interest Code as it is mandated by State Law, however, he stated, it is the subject of a meet and confer process as there are 17 members of the Association covered by the provisions of this code. The Association, he stated, would like to have the opportunity to discuss the code with them. Commissioner Siggins agreed to this request and then asked Officer Chignell to have the Association put their arguments in writing and present it to the Commission prior to a meet and confer session. The Commission then scheduled a meet and confer session with the S.F.P.O.A., this subject for Monday, July 25, 1977, at 5:30 p.m.

RESOLUTION NO. 308-77

HEARING OF POLICE OFFICER ROBERT COLMAN, SOUTHERN
POLICE STATION

WHEREAS, the hearing of Police Officer Robert Colman, Southern Police Station, was called, it having been set for this date; and

WHEREAS, the Police Department requested a continuance in the hearing of Police Officer Robert Colman, because of the unavailability of the key witness; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Robert Colman is set for Wednesday, July 13, 1977 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 304-77

REQUEST FOR SUPPLEMENTAL APPROPRIATION.

RESOLVED, that the Controller, be, and he is hereby requested to draw a Supplemental Appropriation in the amount of \$184,345 from any legally available funds, and credit it to the following appropriation numbers in the amounts shown:

Appropriation No. 6.161.110.000
Permanent Salaries-Uniform Force \$106,006

Appropriation No. 6.161.863.000

Mandatory Fringe Benefits

Transfer to: 7.697.860.000 \$ 78,339
\$184,345

\$184,345

for implementation of Civil Service Commission Legislation amending the 1977-78 Annual Salary Ordinance to establish a new rate of pay for Q35 Assistant Inspectors with two years of service; effective July 1, 1977.

AYES: Commissioners Ciani, Hall, Muprhy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 276-77

MADELINE M. GIACHETTO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Madeline M. Giachetto against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 5, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 277-77

MS. FRANCES MALONE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ms. Frances Malone against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 30, 1976

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 278-77

JUDY LAND

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Judy Land against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 6, 1976

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 279-77

JOSEPH S. KIEHMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph S. Kiehman against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 21, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 280-77

WILLIAM ANTONIK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William Antonik against the City and County of San Francisco in the sum of \$20.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 8, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 281-77

ANDREW M. GOODEN SR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Andrew M. Gooden Sr., against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 23, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 282-77

GEORGE J. HARMINA, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of George J. Harmina, Jr., against the City and County of San Francisco in the sum of \$24.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 283-77

CHARLES H. KELLEM, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles H. Kellum, Jr., against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 9, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 284-77

LEONARD R. MCKINLEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leonard R. McKinley against the City and County of San Francisco in the sum of \$43.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 285-77

MARGARITA KAMPER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Margarita Kamper against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 286-77

MAMERTO VILLANUEVA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mamerto Villanueva against the City and County of San Francisco in the sum of \$22.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 287-77

LAWRENCE K. POTTS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lawrence K. Potts against the City and County of San Francisco in the sum of \$20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 288-77

WILLIAM D. WRIGHT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William D. Wright against the City and County of San Francisco in the sum of \$20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 19, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 289-77

STATE FARM INSURANCE
AND JAMES HOWARD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of State Farm Insurance Company and James Howard against the City and County of San Francisco in the sum of \$122.59 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 5, 1976

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commisisoner Gallegos

RESOLUTION NO. 290-77

FAWAZ ALHORANI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Fawaz Alhorani against the City and County of San Francisco in the sum of \$319.23 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: April 9, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 291-77

BRUCE G. CRAYTON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bruce G. Crayton against the City and County of San Francisco in the sum of \$295.99 as the result of a faulty tow, be, and the same is hereby approved.

Date of Accident: January 1, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 292-77

CRESCENT TRUCK LINES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Crescent Truck Lines against the City and County of San Francisco in the sum of \$21.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 15, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 293-77

WAYNE CLEMENT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Wayne Clement against the City and County of San Francisco in the sum of \$139.47 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: April 5, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commisisoner Gallegos

RESOLUTION NO. 294-77

VERNON G. DINWIDDIE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Vernon G. Dinwiddie against the City and County of San Francisco in the sum of \$129.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: April 18, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 295-77

CALIFORNIA STATE AUTOMOBILE
ASSOCIATION AND DANIEL P. CHAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of California State Automobile Association and Daniel P. Chan against the City and County of San Francisco in the sum of \$432.45 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 31, 1976

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 296-77

EDMUND CONROY AND FIREMAN'S
FUND INSURANCE COMPANY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Edmund Conroy and Fireman's Fund Insurance Company against the City and County of San Francisco in the sum of \$264.60 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: March 6, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 297-77

CALIFORNIA STATE AUTOMOBILE ASSOCIATION
INTER-INSURANCE BUREAU AND DONALD F. SULLIVAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association Inter-Insurance Bureau and Donald F. Sullivan against the City and County of San Francisco in the sum of \$384.40 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: March 22, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 298-77

GAYLE HILLEARY & CALIFORNIA STATE
AUTOMOBILE ASSOCIATION

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gayle Hilleary and California State Automobile Association against the City and County of San Francisco in the sum of \$21.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 7, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 299-77

TERRY DEAN POST

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Terry Dean Post against the City and County of San Francisco in the sum of \$27.50 as the result of failure to notify of storage, be, and the same is hereby approved.

Date of Incident: March 18, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 300-77

JOSEPH YIP KARLAM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph Yip Karlam against the City and County of San Francisco in the sum of \$10.00 as the result of refund of permit fee, be, and the same is hereby approved.

Date of Incident: March 7, 1977

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 301-77

ARTHUR CHAN

RESOLVED, that the recommendation of the City Attorney for settlement of the Judgment of Arthur Chan in the sum of \$35.00 in Small Claims Court Action No. 333-291 entitled "Arthur Chan v. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 6, 1976

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 302-77

WILLIE TOLLIVER AND HIS
ATTORNEY EDWARD R. KAY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Willie Tolliver and his attorney Edward R. Kay in the sum of \$2,000.00 in Superior Court Action No. 690-628 entitled "Willie Tolliver vs. City and County of San Francisco" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 22, 1975

AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

RESOLUTION NO. 303-77

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Deputy Chief Mario Amoroso	)\$356.00	(Executive Develop-
	) Each	(ment Training Course,
Deputy Chief Donald L. Taylor)		(Golden Gate Univer-
	)	(sity, Tiburon, Cal-
Captain Andrew M. Kristensen)		(ifornia, from June
		(5, 1977 to June 17,
		(1977, inclusive.

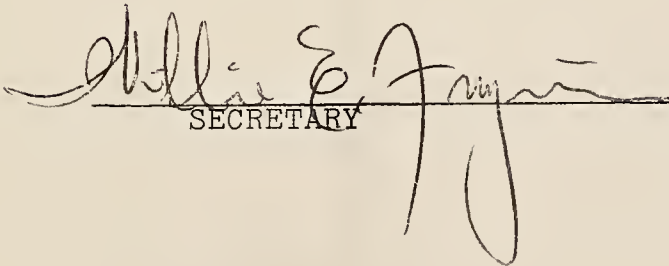
AYES: Commissioners Ciani, Hall, Murphy,
Siggins

NOT VOTING: Commissioner Gallegos

Mr. James Shannon and Mr. Don Fassett from the New Yellow Cab Coop stated that they had just received their appeal transcript from their attorneys and were distributing copies of it tonight to the Commission. They also passed out a resolution that they requested the Commission consider at the next Police Commission meeting. Mr. Shannon then spoke to the Commission stating that what is at stake here is the livelihood of 250 households. He stated that

they had made a bid to the Federal Bankruptcy Court that was not surpassed but only equaled. He stated that the money that they bid was the amount they had saved from laboring in the Taxi business here in San Francisco. He continued by saying that the money the Dobbs people bid came from the liquidation in Los Angeles whose only interest are only speculative and they wish in turn to re-sell it and profit on the merchandising of the taxi permits. He stated that they (the Yellow Cab Coop) felt this was wrong and are now before the Commission asking that this resolution be considered and perhaps passed at the next Police Commission meeting. Commissioner Siggins then stated that at the outset when it was apparent that the Yellow Cab Company was in violation of 1075 of the Police Code the Commission commenced action to revoke Yellow's cab permits. The Commission, through the Federal Bankruptcy Court was estopped by court order from proceeding with this action. He continued by saying that the City Attorney is challenging this order and is appearing before the Bankruptcy Court in San Diego this Friday. He stated that if the City is successful in that regard and the court lifts that order, the Commission will hold hearings of Public Convenience and Necessity for the issuance of new permits. He further stated that the Commission did not need the New Yellow Cab Coop's resolution but would make their own independent review of the relative merits of any application to transfer taxi permits and are bound by certain requirements outlined in the San Francisco Police Code.

The Commission then adjourned its meeting.

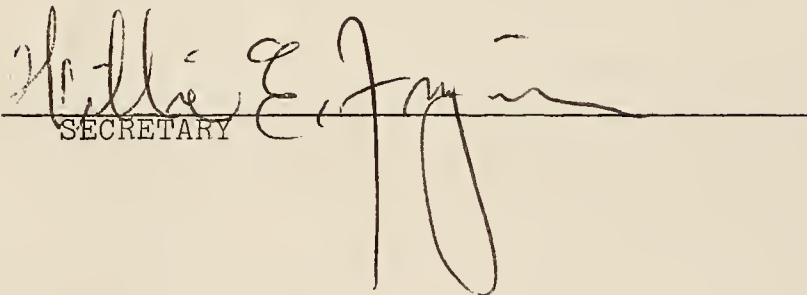


SECRETARY

6 JULY 1977

REGULAR MEETING

The Police Commission of the City and County of San Francisco did not hold their regular meeting on this date.


SECRETARY

